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THE IRISH FREE STATE

1922—1927

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THE IRISH FREE STATE

1922–1927

BY

DENIS GWYNN

AUTHOR OF "THE CATHOLIC REACTION IN FRANCE" AND "THE 'ACTION FRANÇAISE' CONDEMNATION"

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CONTENTS

		PAGE
INTRODUCTION		vii

PART I. DOMINION STATUS

CHAPTER		
I.	IRELAND WITHOUT 'ULSTER'	3
II.	POPULATION AND RESOURCES	20
III.	THE CONSTITUTION	38
IV.	THE OATH OF ALLEGIANCE	52
V.	THE GOVERNOR-GENERAL	66
VI.	APPEALS TO THE PRIVY COUNCIL	80
VII.	EXTERNAL RELATIONS	89
VIII.	THE IMPERIAL CONFERENCE	109
IX.	AMENDMENTS TO THE CONSTITUTION	130

PART II. FOUNDING A NEW STATE

X.	THE RESTORATION OF ORDER	153
XI.	THE NEW JUDICIARY AND POLICE	165
XII.	THE IRISH ARMY	176
XIII.	WORK OF THE DÁIL	191
XIV.	THE SENATE	202
XV.	THE TREATMENT OF MINORITIES	219
XVI.	FREE TRADE OR PROTECTION	234
XVII.	BALANCING THE BUDGET	251

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PART III. THE WORK OF RECONSTRUCTION

CHAPTER		PAGE
XVIII.	Unemployment	273
XIX.	Agriculture	285
XX.	The Fisheries	308
XXI.	The Shannon Scheme and Industry	319
XXII.	Public Credit and Currency	337
XXIII.	External Trade	356
XXIV.	Education	375
XXV.	Local Government and the Poor Law	388
XXVI.	Roads, Railways and the Post Office	413
	Index	433

INTRODUCTION

THE entry of the Republican deputies into Dáil Eireann makes the year 1927 mark the end of the first stage in the evolution of the Irish Free State. Other reasons also have made it possible for the first time to attempt a survey of what has been done towards reorganisation and reconstruction in the first years of its development. Not until 1927 had most of the Government Departments been able to collect the materials necessary for resuming publication of their annual reports; and a number of extremely interesting reports have been published during the year, which review the work of reorganisation under the new regime, from the years of transition up to a fairly recent period.

Never before has there existed the same wealth of material for a survey of actual conditions in the country. The debates in the Dáil have provided for the first time a full public discussion of every question affecting the interests of each class or section of the people; in which Irish Ministers have had to furnish complete statements, based upon official information, in answer to criticisms or complaints on innumerable questions. A great number of special commissions of experts have been appointed, especially in the early years of the Free State, to investigate each principal problem that required attention; and their reports, and the published evidence which was put before them, provide a complete survey of almost every matter that has been discussed. And the annual reports of the various Government Departments, many of which

cover the greater part of five years of reorganisation and development under the new conditions, reveal much more than could be gathered from them in the past. Large changes and reforms were introduced immediately under the Provisional Government of 1922, but it was not until after the Ministries and Secretaries Act of 1924 was passed, that the amalgamation of so many overlapping and inadequate Departments, which had conducted the business of the country under Dublin Castle administration, was fully carried out. By a regrouping of their activities under the charge of a small number of Ministers, to whom large spheres of administration were entrusted, it became possible to obtain a clearer view of the problems that had to be met, and to co-ordinate under a single control the work that had previously been distributed among a number of small bodies which all lacked adequate financial resources.

This book is an attempt to present a rapid survey of how that work of reorganisation has been effected, and of the results that have already followed from the new system. The main sources of information for any student of the subject must be the debates [1] in the Dáil and the Senate, the Irish newspapers, the official reports of the various Government Departments, and the evidence given to the many Commissions of Enquiry into particular problems. In general this study of the Free State deals with what has been actually done rather than with what is proposed or remains to do. But the various chapters contain many references to the conflicting views of different parties on subjects which have provoked acute con-

[1] Many of the most important Irish debates, especially those involving constitutional questions, are regularly summarised at considerable length in the invaluable quarterly Journal of the Empire Parliamentary Association. I am indebted to the Association for permission to make use of parts of these summaries in this book.

troversy. On the whole, it may be said that the Free State Government has been able to carry most of the necessary legislation virtually by consent. An immense programme of work had to be undertaken, and the Dáil and the Government have shown an exemplary industry in facing their responsibilities. Problems which had been agitated for years without success at Westminster—where the House of Commons had neither the time nor the inclination to attend to the urgent necessities of Irish development—have been solved almost by consent within a few years under the new regime. The whole educational system of the country had to be overhauled, and has at last been organised upon an intelligent modern basis. A Poor Law system which had grown obsolete in England, and had always been utterly unsuitable to Irish conditions, has been abolished and replaced by a more humane and less wasteful scheme. Local Government has been thoroughly reformed with astonishing success. The Post Office, on which vast sums were being squandered stupidly in the application of an industrial system to wholly different conditions, has been reorganised with immense economies in expenditure. Agriculture, the basic industry of the country, has been incalculably strengthened by a courageous insistence upon standardisation of quality and packing for the export trade. The judiciary has been remodelled on a plan more in conformity with actual needs; the police force has been reduced in size, yet entrusted with many more duties than before. Above all, the most difficult problem in every generation—of overcoming the lack of industrial power in Ireland—has been met by the Government's boldest and most characteristic scheme, the electrification of the River Shannon at a cost so small in proportion to its possibilities that it should provide the Free State with power as cheap as almost any country in Europe.

This determination to leave nothing undone which could assist in the development of the country or in the improvement of its government, cannot fail to impress anyone who studies what the Government has attempted and the extraordinary rapidity with which its efforts have succeeded. Courage and imagination have been combined with a prudence and a sense of impartial justice which could not have been reasonably expected from a group of men who were all untrained in office. Their disregard of popularity, in enforcing the law ruthlessly, in insisting upon the payment of arrears of taxes and rates, in enforcing penalties for breaches of the new legislation which are astonishingly severe, in imposing taxes and reducing expenditure, have been the finest proof of their intense public spirit. Considerable attention has been devoted in this book to the handling of financial problems, and the methods by which loans have been raised and the annual Budget has been balanced. It will be seen how severely scrupulous Mr. Blythe has been in his successive Budgets, in refusing to depart from the canons of financial orthodoxy, insisting year after year upon the necessity of paying out of income for many heavy charges of abnormal expenditure, and of treating only part of the Government's minor constructive schemes as fit subjects for new borrowing. With a balanced Budget and a total National Debt amounting to less than one year's revenue from taxation alone, he has still been able to make many important remissions of taxation.

Yet no group of Ministers could have faced conditions more desperately discouraging at the outset, or have found less adventitious assistance from even ordinary good luck. The first two chapters of this book survey briefly the tragically reduced resources, in population, in wealth, and in economic organisation, with which the new Government had to found

and establish a new State. The exclusion of East Ulster under the Partition Act of 1920 had cut off one-third of the whole population of the country, and separated from the rest of Ireland the industries and the industrial population which would have provided a reasonable balance between industry and agriculture. The Free State has had to develop with a total population of less than three million people, among whom a wholly disproportionate number were old men and women, surviving from the years after the Famine in the 'forties, when the Irish population was much greater than it is to-day. Dublin, presenting an immense problem in itself, with deplorable housing conditions, great unemployment among its casual labourers, and an unnaturally large proportion of the professional classes, remains the only city of considerable size in the whole Free State. Roughly half of the three million people in the country live permanently in a state of chronic poverty on farms so small that there is no prospect of advancement, or even of marriage, for the farmers' sons.

With so many problems and so few resources, the Irish Government would have had a tremendous task even under the most favourable conditions. But the conditions in which they had to assume control could scarcely have been conceivably worse. The Black and Tans under Sir Hamar Greenwood's deplorable administration had spread anarchy throughout the country, and the civil war between those who supported or denounced the Free State developed into an appalling campaign of destruction and general lawlessness within the first year after the new Government took command of the situation. Ten million pounds of compensation claims had to be met out of the very limited and pitifully disorganised resources of the new State; and it was many months before even ordinary transport could be carried on in many places

owing to the destruction of bridges and railways and roads. A general exodus of the propertied classes had set in, and few of those who left the country have even yet returned, though the new generation show signs of desiring to resume the old happy life at home. Faced with this emigration of the landed and wealthy citizens, the Government was further harassed by the fact that taxation was being reduced in England; and if it were not correspondingly reduced in Ireland there would be an additional reason for those who remained to follow the rest. And to increase the Government's difficulties still further, two exceptionally bad seasons in succession produced conditions that were little better than famine throughout the thickly populated counties of the west. Everything seemed to happen that could create despondency and disillusionment among the farmers. The sudden collapse of markets after the Great War had exhausted what little resources of capital they had accumulated in the prosperous years. Anarchy, followed by bad harvests, threw them back to a state of poverty such as they could scarcely remember in the past.

That the Government should have faced and overcome so many difficulties and such a combination of prolonged discouragements, is an achievement which completely vindicates the long struggle for Irish self-government. Gratitude has never been freely accorded to politicians in Ireland, and the group of Ministers who have laboured so ceaselessly in the past five years are not likely to receive it. The ablest and most devoted of them, Kevin O'Higgins, was assassinated in the summer of 1927, at a moment when some prospect of relaxation in the fearful strain of overwork which he had endured for five years, was at last in sight. But his death in his country's service has only helped to consolidate the gigantic work he had already accomplished. Neither gratitude nor profit

are likely to be the reward of those who have laid the foundations, and built the structure, of the Free State under indescribable difficulties. Already preparations are being made for their displacement by a different Government, composed of men who have had no part in the arduous first years of organising the new State, and who have escaped the unpopularity which Mr. Cosgrave and his colleagues have incurred by enforcing order and the payment of taxes. But Mr. Blythe as well as Mr. Cosgrave has declared openly that changes of Government will be necessary before the education of the country is complete. Mr. Cosgrave himself foresaw, and stated definitely in the Dáil at the time, that the measures which he took to force the Republican deputies to enter it would bring less advantage to the Government than to its opponents. He foresaw, with shrewd insight, that once the fear of revolutionary developments was removed, the many discontented elements in the electorate would at once combine in supporting a constitutional party which had the funds necessary for fighting an election and which could provide an alternative Government. His prediction was faithfully fulfilled; and as soon as Mr. de Valera and his party pledged themselves to act on constitutional lines, they received the support that had previously been given to various smaller groups which were elected to criticise and curb the severity of the Government's policy of reconstruction.

But it is too soon even now to estimate in what way political parties will group themselves in the Free State. The Government Party, as well as the Republicans, are still a most miscellaneous coalition. Neither is likely to hold together indefinitely, once the broad issue of accepting the Treaty has been removed. The Treaty has now been accepted unreservedly by all Parties, though no Party regards it as a permanent settlement, or one which will not need modification

and development by the consent of both contracting parties; and the natural divisions on such questions as free trade or protection, the claims of the labourers to better wages and better housing, or the compulsory development of Gaelic institutions, must very soon become more clearly defined. The reform of the Constitution is most likely to be carried by agreement among a Select Committee representing all Parties in the Dáil and the Senate. But in the meantime Mr. de Valera has found useful planks for his weak platform in demanding a smaller Dáil and the total abolition of the Senate. It has not been possible to do more in this book than indicate here and there the lines upon which opinion has already shown signs of forming. Nor is there any detailed discussion of the initial struggle to vindicate the authority of the Free State, concerning which other books have already been written.

One point in connection with the new political leaders of the Free State may be mentioned in conclusion. The whole-hearted co-operation of the old Southern Unionists, and especially of Trinity College, will be often referred to in the following chapters. But it is no disparagement of their loyal co-operation to say that it is the National University of Ireland—founded by Mr. Birrell some years before the war, and the most enduring monument of his long and extremely able administration as Chief Secretary—that has provided the vast majority of the young men who, in so many spheres, have brought new life and new hope into a country which had always been starved in education. Among the brilliant group of young Ministers who have displayed such a remarkable degree of public spirit and energy in the government of the country, most of the outstanding figures were among the early graduates or students of the National University. Kevin O'Higgins, Mr. Hogan, Mr.

M'Gilligan, General Mulcahy, Professor O'Sullivan, Mr. Hayes the Speaker of the Dáil, have all been intimately associated with the new University. Similarly in the whole civil service, in the Army, among the officers of the police, the magistrates, and among the many experts upon whom the Government has had to rely for its commissions of enquiry, the National University has provided an unceasing supply of able, highly-trained, and public-spirited young men, who under the old regime could never have hoped for any large scope in the public life of the country. Not least significant was the fact that the Shannon scheme owes its origin to a young graduate of the National University, Dr. M'Laughlin, who had gone to Germany to learn engineering in the famous firm of Siemens Schuckert. Away from Ireland, and entirely on his own initiative, he not only worked out the details of the enormous scheme which has since been put into operation, but persuaded the directors of the firm to offer to conduct an elaborate investigation at their own expense in the Free State, in order to convince the Irish Government of its vast possibilities in the development of the country.

In the arrangement of a book of this kind, it is impossible to preserve any appearance of proportion in relation to the importance of the various subjects discussed. The first part of the book deals in considerable detail with the technical problems of Dominion independence. Two contrary tendencies will be noted, even among those who have done most to establish the new State on secure foundations. On the one hand there is a general disposition to abandon the demand for complete independence of all connection with the British Commonwealth of Nations, and a growing realisation of the advantages to be gained by strengthening and utilising that connection. On the other hand there has been, even among those who have

striven hardest and most successfully to reorganise the country on the basis of Dominion independence, a distinct tendency to extend further the claim for immunity from interference by the Imperial Government, and to demand—in co-operation with the leaders of other Dominions—the abolition of the formal symbols of Imperial sovereignty, such as the original duties of the Governor-General, or the privileges of the Judicial Committee of the Privy Council, or the oath of allegiance. It has been impossible to give adequate attention to these constitutional questions without devoting to them a somewhat disproportionate number of pages. Many of the chapters will also be found to deal with problems which are treated in different aspects in other chapters as well, but such partial overlapping has been unavoidable. Reference to the Index at the end of the book should enable readers to find information on whatever matters may be of special interest to them, among the chapters which necessarily cover a variety of subjects.

PART I

DOMINION STATUS

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CHAPTER I

IRELAND WITHOUT 'ULSTER'

One-third of the Irish population excluded—Possibilities of reconciliation—Mr. Cosgrave's attitude—Collapse of the Boundary Commission—Inconveniences of the existing frontier—Its injury to Ulster—What the Free State has lost—Common interests—Violation of popular traditions—Grounds for hope of reunion.

It is a large exaggeration to identify Northern Ireland, as constituted by the Government of Ireland Act, 1920, with the historic province of Ulster; but the exclusion of the six counties of Northern Ireland, with all that they contain in population and natural resources and accumulated wealth, has deprived the Irish Free State of far more than a glance at the map would suggest, and of more even than is generally believed by those who think loosely of the six excluded counties as though they were the whole province. In actual area, the six counties of Antrim, Down, Armagh, Tyrone, Fermanagh and Derry, which are under the jurisdiction of the Government established in Belfast, comprise only one-sixth of the whole of Ireland. But they include, as the result of historic causes and economic developments, very little less than one-third of the whole population of Ireland; and the industrial wealth and prosperity of the country was concentrated in this north-east corner which has been cut out from the Free State, to an extent even more remarkable than the industrial concentration in the North of England or in Northern Italy or North-

Eastern France. Belfast had already grown, as the result of extremely rapid progress within the past fifty or sixty years, to be very considerably larger than Dublin, with a pre-war population of 350,000 as against Dublin's 290,000. Cork was the only other town in the whole country which had a population of over 50,000; and of the nineteen other towns containing more than 10,000 people in each, six are situated in the excluded area.

It is essential to bear in mind this sweeping change in the equilibrium of Ireland's political and economic organisation that has resulted from the exclusion of these north-eastern counties. Whereas the population of Ireland as a whole had been more or less stationary since the beginning of the century, at rather less than four and a half million people, the Free State now contains actually less than three million people of all ages, owing to the loss of the six counties, which at the census of 1911 contained a million and a quarter inhabitants. With the exception of Dublin, Cork, Limerick and Waterford and a few small towns, the Free State has no longer any considerable industrial population at all; and its economy is consequently based, to an extent which was never contemplated before the war, upon agriculture as almost the sole industry of the country. The exclusion of the North-East has also made the Irish Free State much more homogeneous by the loss of the large Protestant minority which is concentrated in the North. According to the Census Report of 1911, which gives the only figures available so far, Northern Ireland had a mixed population of roughly 330,000 Protestants, 440,000 Presbyterians or Methodists and 430,000 Catholics; whereas the twenty-six counties which form the Free State had an overwhelming majority of some 2,800,000 Catholics, with only 250,000 Protestants and some 60,000 Presbyterians or Methodists.

Deprived of the industrial population and the Protestant populations of the North-East, the Free State has had to construct the organisation of its new conditions on very different lines to what would have been possible without the exclusion of the six counties. Neither Northern Ireland nor the Free State has benefited by the artificial division that was imposed upon a framework which was by nature singularly coherent in its economic and social aspects. The balance between industry and agriculture has been lost by both; and each has had to organise its institutions and establish its political traditions on a basis that produced unnatural difficulties. That the policy of partition had become inevitable as a result of the methods by which political passions had been inflamed before and after the war, is probably true. The supreme opportunity for reconciliation was lost in the first year of the European war, when the Ulster leaders refused to appear on the same platform as the Irish nationalists, even to conduct recruiting for the Irish regiments; and the early policy of the War Office in regard to the Irish regiments quickly and irrevocably killed the temporary enthusiasm for the Allied cause which Redmond had succeeded in arousing. The subsequent rise of the Sinn Féin movement—deliberately organised by the secret societies which had remained in existence in the United States—was due more to mismanagement by British politicians and, later, to the adoption of a deliberately vindictive attitude under Sir Hamar Greenwood's administration, than to any real hatred of English institutions.[1] But the combined result of all these factors had produced such a gulf between Southern Nationalists and

[1] This is quite frankly admitted by two surviving members of the Supreme Council of the Irish Republican Brotherhood: by General Piaras Béaslaí in his *Life of Michael Collins*, and by Mr. P. S. O'Hegarty in his *Victory of Sinn Fein*.

Northern Unionists that all hope of their co-operation had vanished.

Whether the artificial solution of the problem that was provided by the Partition Act of 1920, contains the elements of permanence, may well be doubted. A great change has come over the attitude of Irish politicians in Belfast as well as in Dublin in recent years, and there have been many signs of a tendency which may very possibly develop later into reunion on some agreed basis. The Free State leaders, and especially Mr. Cosgrave and Kevin O'Higgins, by wisely refusing to discuss the question until the new regime had become firmly established and had won the respect of other countries and Governments, have pursued the only policy that could lead to reconciliation. And their policy has unquestionably produced a very different attitude even on the part of those who were most bitterly opposed to Irish self-government in the past; while the growth of new forces in Northern Ireland, the increasing strength of the Labour Party and the necessity to deal in facts instead of in inflammatory rhetoric, has brought about a much calmer and more hopeful attitude in Belfast. By demonstrating that the Free State could restore and maintain order, and could proceed to lift Irish economic life out of the stagnation and misery of the past century; and not least by showing that the religious minorities have nothing to fear from a self-governing Ireland; the Free State leaders have gone far to allay the suspicions and distrust, and to win the respect, of the Protestant majority in the North-East.

Nor has this abstention from interference with Northern Ireland been merely the result of preoccupation with troubles in the rest of the country. Mr. Cosgrave has asserted his own attitude in the matter on various occasions. His retort to criticisms of the Government—when a suggestion was made in

the Dáil, during a debate on the external relations of the Free State in June 1926, that efforts ought to be made to exercise pressure upon Northern Ireland—may be quoted as a definite statement of his own attitude. 'The difficulty about dealing with Northern Ireland,' he declared, 'is that after the long and bitter feeling that was aroused in connection with the events of the last few years, very little said and very little done would continue that bitter feeling. It must, in my opinion, be allowed to subside. Things could be done much better without advertising them. Nothing is being done. If people think that the Executive Council has been wrong in that respect, I am prepared to take the blame for it.'

And when the ill-advised attempt to insist upon the Ulster boundary provisions of the Treaty was made some years ago, it was not Mr. Cosgrave who urged the question upon the Imperial Government. Under Article 12 of the Treaty, the British Government was obliged, if requested, to take steps to examine the Boundary Question with a view to rectifying the unsatisfactory position left under the existing partition. The Article of the Treaty provided that a Commission should be appointed consisting of three members, one to represent the Free State, one to represent Northern Ireland, and an impartial chairman chosen by the Imperial Government from among the British Dominions. Faced with persistent criticism in Ireland on the ground that it did not dare insist upon its rights under the Treaty, and yielding to an agitation among the nationalist majorities in Counties Tyrone and Fermanagh, the Free State formally requested the Imperial Government to set up the Commission. The Northern Government, when approached with a request to nominate its own representative, flatly refused to recognise the Commission on the ground that it had never been consulted when the Treaty was

discussed; and contended that the Commission would have no valid authority if the Northern Government stood out of it. The Imperial Government, acting with scrupulous regard to the fulfilment of its own obligations under the Treaty, proceeded to pass legislation enabling it to appoint a commissioner who would represent the interests of the Belfast Government. Having thus appointed not only a chairman of the Commission in Judge Feetham, and a representative of Ulster's interests as well, the Imperial Government had no further responsibilities in the matter, and the Free State Government was then confronted with a situation involving possibilities which it had previously refused to admit.

The Treaty had stipulated that a Commission was 'to determine in accordance with the wishes of the inhabitants, so far as may be compatible with economic and geographical considerations, the boundaries between Northern Ireland and the rest of Ireland.' Two entirely different interpretations were open to the Commissioners, and the Free State had refused to admit the possibility of any other interpretation than its own. If, as it contended, the 'wishes of the inhabitants' were to be the deciding factor, then whole tracts of territory incorporated in Northern Ireland—and quite possibly even the whole counties of Tyrone and Fermanagh, besides the cities of Derry, Enniskillen and Newry—would have to be transferred to the Free State because they contained a majority of nationalists and Catholics who had always expressed resentment at being divided from the rest of Ireland. But the alternative was to assume that the Boundary Commission's powers were drastically limited by its very title, and that it could do no more than make minor adjustments of a frontier line which was admitted on both sides to be hopelessly inconvenient and irregular. Once the Commission had assembled,

it became apparent that the attitude of the chairman must decide the whole matter. And in fact Judge Feetham took the latter point of view. The Free State Commissioner therefore resigned, after a protracted examination of the whole problem had taken place; and the Free State was faced with the only serious political crisis in regard to the Treaty that has yet arisen. Urgent efforts were made to reach a settlement by consent; and after several weeks of extremely anxious tension a solution was found by consultations between Mr. Cosgrave, Mr. Baldwin and Sir James Craig. It was agreed to ignore the whole boundary provisions of the Treaty on condition that the other outstanding provisions, under which the Free State's share of the National Debt would be decided after a time, should be cancelled out.

On that basis the Free State has proceeded without further preoccupations with the Ulster question, recognising that no solution is possible except by mutual consent, and that such consent can only be hoped for after the Free State itself has set an example of capable and economical and tolerant Government, and also, until the Northern Government itself has come to realise the very substantial advantages—in political independence and in the remission of financial burdens—which are to be obtained by a fusion of its own interests with those of the Free State. And after events had developed in a way which showed that the hopes of the Free State in regard to the Boundary Commission were illusory, it may be said that the shrewdest of the Free State Ministers had good reason for rejoicing in the settlement that they obtained. The claims which they had based upon Article 12 of the Treaty had been proved untenable; yet they were in fact treated by the Imperial Government as being sufficiently substantial to require some important concession as an offset if they were abandoned. And

instead of having to abide by a settlement of the Boundary Question which would have involved deep disappointment and discredit to the Government, the Ministers were able to return from their negotiations in London freed from the nightmare of a financial burden, the extent of which no one could foresee, no matter how skilfully the Free State might present and insist upon its own counter-claims. Scarcely less gratifying than this amazing triumph for its diplomacy, the Free State could have the satisfaction of knowing that the Boundary Question was being left in the same state as when the Treaty was signed—with a frontier that must be a constant source of embarrassment to the Northern Government even more than to the Free State itself, a continual reminder that the policy of Partition had been imposed without any regard to local interests or necessities.

Had the verdict of the majority of the Boundary Commission been carried out, had the frontier been straightened and shortened on a reasonable plan as their recommendations suggested (though the Report was never officially published), the Free State would have lost a great strategical advantage as the direct result of its own insistence upon Article 12 of the Treaty. But the Irish negotiators not only gained the immense and unhoped-for advantage of freedom from all liability for the National Debt; they have retained the full strength of their former position in regard to partition, inasmuch as the existing frontier line is so inconvenient that the question of a more satisfactory settlement by consent must sooner or later be raised, in the interests of the Northern Government even more than of the Free State. Moreover, the agreement concluded in London in December 1925, introduced a new note into the relations between the Governments of Dublin and Belfast, when its preamble declared that ' the British Government and the Govern-

ment of the Free State, being united in amity with the Government of Northern Ireland and being resolved mutually to aid one another in a spirit of neighbourly comradeship, hereby agree . . .'

That this first step towards reconciliation, in which the Southern Government waived its claim to rights that challenged the security and the integrity of Northern Ireland, will lead in time to further developments tending towards a complete reunion, may reasonably be expected. The Free State Government, even while pressing for a settlement of the Boundary Question on lines that would conform to the local wishes of the inhabitants along the frontier, had never acquiesced in the principle of partition. Its North-Eastern Boundary Bureau, in preparing an elaborate handbook which surveyed all the different aspects of the Ulster question, insisted above all upon the natural unity, geographical and economic, of the whole of Ireland. 'The range of mountains which nearly encloses Bohemia,' it argued, 'is not so completely a symbol of national unity as the four seas which lap the shores of Ireland. Political wisdom dictates, and international examples prove, that the special interests and desires of minorities should be met without injuring or curtailing the organic unity of the nation as a whole. The national organism is strong enough and attractive enough, left to itself, to win to its willing service even the most obdurate of minorities —a fact to which the British Commonwealth of Nations bears witness in the cases of Quebec and Natal. The partition of any portion of Irish soil is, therefore, bad in theory and calamitous in practice. The partition effected against the wishes of the whole of Ireland by the 1920 Act, and re-introduced by the decision of the Belfast Parliament to contract out of the Free State under the first part of Article 12 of the Treaty, created for the first time an Irredentist prob-

lem in Ireland and inflicted on the country a wrong which only reunion can completely cure.'

'Meanwhile,' the handbook continues with a somewhat half-hearted argument, 'the Boundary Commission provided for by the second part of that Article is required to correct the most obvious aspect of that wrong. In determining the boundary, the Commission is bound by its terms of reference to give priority to "the wishes of the inhabitants"—a phrase consecrated by international usage as the practical expression of the principle of self-determination. . . . The settlement of the boundary of Northern Ireland in accordance with such a principle would rob partition of one of its most glaring injustices by restoring the maximum number of unwilling citizens to the Government of their choice, but many of the results of an evil policy would remain. There would still be left in the partitioned areas thousands of dissatisfied citizens who yearned for reunion with their fellow countrymen. The national organism would still be weakened and deprived of its full power of development. The Irish Free State, the newest member of the Commonwealth of Nations, would still have an Irredentist problem, comparable to that of Alsace-Lorraine or Italia Irredenta. The new line would be shorter than the old and more in accord with economic and geographic realities, but it would still be an arbitrary line in a small country clearly marked for unity by the sea.'

One immediate result of the London agreement was that the Northern Government at once disbanded two of the three branches of its Special Constabulary. But in the meantime all the anomalies and expensive inconveniences attaching to a chaotic frontier line which has to serve for Customs purposes, remain. Any railway map of Ireland shows at a glance the interference with the normal traffic of the country

that is caused by the present frontier. The Great Northern Railway system, following the natural direction of a more or less straight line, cuts across the frontier at no less than fifteen places ; and arrangements have to be made by the Customs authorities at each of these. Between the towns of Clones and Redhills, the frontier is crossed six times within seven miles. The Londonderry and Lough Swilly system is cut off from its headquarters at Derry, and the system of Southern Donegal is separated from its main focus at Strabane. And the position of County Donegal (which, although it reaches farther north than any other county, is paradoxically included in Southern Ireland) is absurdly anomalous. Only a neck of land, five miles in width at one point, connects the county with the rest of the Free State, and as no railway line runs along this piece of territory, Donegal is left without any direct access by rail to the Free State of which it is a part. Two of the other smaller railway systems are also cut by the frontier. Nor are the railways the only interests to be injured and disturbed. Partition has played havoc with the trade of Derry city, which had long been the principal market town for all the adjacent parts of County Donegal. Newry in Northern Ireland, and Sligo in the Free State, each have suffered for similar reasons by the erection of an artificial barrier across their long established commercial connections. And partition has already had the inevitable result of creating new centres of distribution that will not be impeded by the restrictions of an arbitrary frontier line.

Fiscal complications have been scarcely less serious in causing dislocation of the normal life on both sides of the frontier. Each Government has to provide its own administrative machinery for collecting taxes in its own area ; and certain consequences of this were clearly set forth in the handbook of the North-Eastern

Boundary Bureau. Apart from the direct results in such important matters as the taxation on motor cars and on manufactured tobacco, the handbook points out that 'the mere fact of fiscal separation, apart from differentiation of taxation, has the following effects: (1) the value of commerce of all kinds tends to be diminished owing to the increased charges imposed by the carrying companies to meet the additional cost of passing goods through the Customs examination. (2) Wholesale trade, which cannot adjust itself to the requirements of the Customs authorities, for example, the trade in small lots of duty-paid whisky, must cease. (3) Retail trade in dutiable goods across the border, since it cannot possibly adjust itself to these requirements, must cease.' Experience and ingenuity have, it is true, succeeded in surmounting these and other difficulties to some extent; but the very obvious disadvantages of partition, with its necessity for maintaining a Customs barrier between the rest of Ireland and its north-eastern corner, remain; and the consequences, economic and political, of this imposed partition must continue to cause dislocation and friction and waste. And concerning Belfast itself, the Free State's experts had no difficulty in presenting a very substantial case to show that 'even as regards the staple industries of Belfast and her world-trade, the economic facts would suggest that fiscal unity with the Free State is likely to be beneficial, whereas fiscal unity with Great Britain is definitely injurious. And of course, as regards the very important Belfast distributing trade with the Free State, which gives employment to 10,000 people, the advantage of being on the Free State side of the fiscal boundary requires no demonstration.'

Yet while the Free State may derive some consolation from the fact that the effects of partition must sooner or later bring about a real effort to end a dis-

astrous and unnatural policy, in the meantime the Free State has had to consolidate its own position without the assistance of the great resources in wealth and in self-confidence that the North-East has for so long possessed. The psychological value of that self-confidence and of that tradition of industrial success would have been inestimable during the first years in which the Free State has had to struggle against anarchy, against the world-wide depression that followed upon the European war, against unemployment, and against the renewed drain of emigration. It is a fallacy to attribute the superior commercial and industrial success of the North-East to the existence of its Protestant traditions or to any alleged difference of racial characteristics. The historical truth of the matter has been well put by Mr. A. G. Wilson, himself an Ulster Protestant, holding an important position in the linen trade of Ulster. His comment deserves to be quoted here, in answer to the prevalent notion that the economic life of the North-East has always been self-contained and quite different to that of the rest of Ireland. 'One of the heads of the Irish linen trade,' he wrote in his pamphlet *Recent History in Ireland*, 'protested against the idea that our staple industry had gained anything from the Protective system which lasted off and on from the time of Strafford down to the period just previous to the introduction of machinery, say, roughly, about two hundred years. I venture respectfully to disagree with this view, not because the modern linen trade really owes anything, directly, to the Protective bounties, but because those bounties had kept alive in Ulster, as in England, an industrial spirit strong enough to survive the mechanical revolution of the nineteenth century. And if the question be asked why the linen trade had died out over most of the other areas where it once flourished under bounties,

I think a sufficient answer is the effect of the Penal Laws upon the immense Roman Catholic majority outside Ulster. It is our boast that Ulster is prosperous largely because of her intermixture of Scotch blood; and it is true; but if the claim be examined historically, we learn that the Scotch immigration is merely the return of Irish colonists to their original home, minus the two great industrial disabilities of which I have spoken. It is as if England were overrun by, say, Germany for several centuries, and then revived by the return of her Australian and Canadian Colonists, who had retained something of the language, dress, customs and industrial spirit of the motherland, while these had been abolished by force in their place of origin. These, then, the commercial restrictions and the Penal Laws, were among the main causes of the miserable industrial situation in all except our own corner of Ireland up to about twenty years ago.'

The official *Ulster Year Book* published by the Northern Government is itself a sufficient refutation of this idea that the economic life of Ulster is fundamentally different to that of the rest of Ireland. 'Farming is, of course,' says the *Year Book*, 'pre-eminently the chief industry of the Province, and is followed with increasing skill and intelligence, especially in the lower levels of the four north-eastern counties.' And again: 'The place of agriculture in the economic and social life of Northern Ireland is far more important than in any other part of the United Kingdom. Despite the presence of important linen and shipbuilding industries, the population of Northern Ireland has remained predominantly agrarian in character, and the process of industrialism has been largely confined to the two principal urban centres of Belfast and Londonderry. Throughout practically the whole of the rest of the country the energies of the population are mainly devoted to agriculture.'

Out of the total area of roughly 3,350,000 acres, almost 2,500,000, or three-quarters of the whole area, are under crops and pasture, with more than 100,000 holdings exceeding one acre in each. 'If we assume,' says the *Ulster Year Book*, 'that holdings of 10 acres and upwards receive the whole time care and attention of the occupiers, we have in Northern Ireland a body of 70,000 holders, with farms of from 10 to 100 acres in size, cultivating, with the aid of their families and some sixteen or seventeen thousand agricultural labourers, 1,865,000 acres, or 75 per cent. of the total area of cultivated land in the six counties. Through the operation of a long series of land laws these farmers have obtained security of tenure, and the majority are now either owners, or on the way to become owners, of their holdings. As a body, they and their families may be said to constitute the backbone of the social and economic organisation of agrarian Ulster.'

But while agriculture is, in the North-East as everywhere else in Ireland, the principal single industry of the people, the special industrial concentration in the North-East has produced an excess of industrial over agricultural workers. The Census of 1911 showed in the six counties a total of some 216,000 people engaged in industry as against only 147,500 in agriculture, with a further total of 58,000 engaged in commerce and in the professions. The density of the population showed also the special character of the six counties, which between them had 239 people to the square mile as compared with only 118 to the square mile in the Free State. The principal occupations of this industrial population are well known. In Belfast and the surrounding district are centred the great industries of linen manufacture, shipbuilding, engineering, and rope making, each of which includes the largest single industrial centre of its kind in the world—just as

Dublin includes the world's largest breweries and distilleries. South of Lough Neagh down to Dungannon, the linen manufacture predominates. The city of Derry has important shirt and collar factories; and the district served from the port of Newry has other considerable linen and woollen industries.

There is no need to emphasise all that has been lost to the Free State in its early and most difficult years by the exclusion of these great industrial centres from its economic life. But it is not only the economic life of Ireland that has been violated by partition, which is a travesty even of the character of Ulster as a Province. The whole course of the frontier, as the Free State's handbook shows, 'is repugnant to both the natural and historic features of the country. The Grianan of Aileach, the ancient seat of Ulster's political life, lies outside the new frontier, although the upholders of Northern Ireland show a tendency to claim the title "Ulster" for their truncated area. On the other hand, the national shrines of Armagh, the ecclesiastical metropolis, Downpatrick, the grave of Patrick, Brigid, and Columcille, and Tullaghoge, the place of inauguration of the O'Neill kings, are cut off territorially from the national entity which venerates their memory.' Nothing indeed is more anomalous in the results of partition than that the Archbishop of Armagh, as Primate of the Catholic Church in Ireland, holding his see in direct succession from St. Patrick himself, should be excluded from Catholic Ireland. And while no man did more in the difficult years to encourage the spirit of reconciliation than the late Cardinal O'Donnell, nothing has been more significant of the decay of the old spirit of religious hatred in Belfast than that one of the most important members of the Ulster Government should have actually gone to Rome and had an interview with Pope Pius XI., at which he urged

strongly the wishes of the Belfast Government that Dr. O'Donnell should be made a Cardinal after the death of Cardinal Logue. When so strange a thing as that has happened, it is surely not unreasonable to hope that the reunion of Northern Ireland with the Free State on a basis of mutual respect and mutual concessions, may be accomplished before many years.

CHAPTER II

POPULATION AND RESOURCES

Decline of the population to below three millions—Predominance of old people—Marriages very few and at late ages—Large families but a small birth-rate—The drift towards the towns—Comparison with France—Fewness of towns—No alternative occupations for farmers' sons—Occupations of the people—Emigration revives with recent depression—The latest figures.

So great changes have taken place in the population of Ireland since the last Census Report was published, for 1911, that any detailed examination of the problem which is based upon the pre-war figures must be subjected to considerable reservations. A new Census of the Free State was taken in 1926, of which only the bare preliminary report has yet been published. It showed that the combined results of casualties in the European war, and of renewed emigration since the troubled years after the armistice, had produced a tragic decline in the population of the country. But it will be long before the detailed results of the 1926 Census can be assembled and verified and made public; and for the present there is no more definite information available for recent years than that the population of the twenty-six counties which compose the new Free State had fallen from 3,140,000 in 1911 to 2,973,000 in 1926. The Free State therefore has had to establish its political and economic development upon a basis which not only excludes the industrial population and wealth and natural resources of the

North-East, but contains a very considerably smaller population in the remaining counties than before the war.

While complete figures are still lacking, it is, however, possible to draw fairly reliable conclusions on the most important matters from the data available in the Census of 1911. An agricultural country is liable to much fewer changes than an industrial country, and certain general tendencies in the previous Census reports have in fact continued under the new conditions. The distribution of the people between the various occupational classes—agricultural, industrial, commercial, professional, and so on—has most probably changed to some extent under wholly new conditions. But four main factors have been apparent in all the previous Census reports, and it is important to note each of them. First, the Census Report for 1911 showed a most unusually high proportion of old people, owing to the rapid decline of the Irish population after the famine of 1845-7. Secondly, the Census of 1911 showed the continuance of a most abnormal condition in regard to the small number of marriages among young people, which resulted in a very low birth-rate, though the average number of children to each marriage was very remarkably high. Thirdly, the Census returns have shown a steady drift towards the towns from the country, as in all other countries under modern conditions. And fourth, the tendency of emigration to cease before the European war demands notice, in relation to the recent temporary revival of emigration after the conclusion of civil war and the demobilisation of both the Free State and the Republican Forces, with resulting unemployment.

The first factor has been surprisingly overlooked in most discussions of the matter. Yet the difficult problem which the Free State inherited was so obvious that no visitor to any of the more remote counties in

Ireland could fail to notice it. The country churches on Sunday, in a country which has remained very strict in its religious observance, contain practically the whole people of the countryside. And for years before the war the most striking feature of any congregation at the parish churches on Sunday was the extraordinary preponderance of old people. Only those who are too old and infirm to leave their houses fail to attend the religious services. Yet, even in the absence of the infirm and the very old, it was impossible, even before the war, to look at any typical country congregation in Ireland—above all in the western counties—without being struck by the fewness of young people and the extraordinary predominance of those who were already well advanced in middle or old age. The explanation lay in the dismal history of emigration from Ireland since the great famine of the 'forties. Its effect upon the population of Ireland was devastating. When the first reliable Census of the United Kingdom was taken in 1831, the population of Ireland was roughly 7,765,000, while England, Scotland and Wales had very little more than twice as many people between them, with a total of 2,365,000 in Scotland, and less than 14,000,000 for England and Wales combined. Ten years later, in 1841, the Irish population had increased to 8,175,000, while that of Scotland was no more than 2,620,000, and England and Wales combined had only 15,915,000. This steady increase of the Irish people continued still further until the famine of 1845, which lasted through 1846 and 1847. These three years of famine caused an appalling death-roll through sheer starvation in Ireland, and left such conditions of utter destitution and hopelessness that the great exodus to America and to England which set in during the famine, has continued ever since. By the time the next Census was taken in 1851, the Irish population

had fallen from about 8,500,000 people to little more than 6,500,000. In 1861 it had dwindled further to below 5,800,000; and the shrinkage continued every year. By 1881 only 5,175,000 people remained. In 1891, emigration had reduced the total still further to below 4,700,000. In 1901 there were less than 4,460,000; and by 1911—when the population seemed to have nearly reached its minimum, and the drain of emigration had been almost stayed—only 4,390,000 remained in the whole of Ireland.

A few years later, for the first time in seventy years, a gleam of hope came at last, when the population actually showed a very slight increase, on the eve of the European war. Then chaos descended. The war alone cost the lives of some 50,000 Irishmen from Ireland, while carrying many thousands of others out of the country. Political agitation, anarchy and destruction, and the resulting unemployment, subsequently drove out many more who would otherwise never have left the country; and the British Government's decision to impose a policy of partition in 1920 only aggravated the problem of reconstruction. The result was that the Free State, deprived of the six north-eastern counties which contained nearly one-third of Ireland's remaining people, had to face the future with a total population of barely 3,000,000. A new phase of emigration soon set in. The propertied classes and a great number of prosperous professional families left the country under the stress of troubled times, in which they had become either the targets for direct attack during a revolution, or the principal sufferers in a period which seemed to promise no hope of stable conditions. And before long the general depression of the country, after four years of anarchy, had revived the former tendency to seek employment anywhere outside of Ireland. In June 1922, the Irish Registrar-General still estimated the

population of the country, excluding the British troops, at 3,160,000. In 1925, the rough estimates showed a decline to 2,985,000, and in 1926 the official Census showed a still smaller total of 2,973,000 people.

This rapid shrinkage in population within less than eighty years had brought with it consequences which require attention. It was not the old and infirm who had disappeared, but the young and enterprising. All the young men and young women who had swarmed out of Ireland in that period were those who had hopes of bettering their condition. To a great extent it was only the despondent and the unenterprising who remained—at any rate until the 'eighties, when the tenant farmers at last obtained some measure of security on their farms. The result was not only to leave behind a people who largely lacked the more enterprising elements in any normal community. This continuous drain of young men and young women year after year by emigration had produced a preponderance of old people among those who remained, such as could scarcely be found elsewhere in the whole world. It is only about eighty years since the population of Ireland was 8,500,000; to-day the whole Free State has less than 3,000,000. Sixty years ago there were still 5,500,000. Inevitably such a rapid decline in population has left an exceptionally high proportion of old people, which the Census of 1911 already showed, and which the Census of 1926 must also show. In any country which has developed normally, there is a continuous and more or less even decrease in the number of people surviving for each year, as age advances. There are normally fewer between the ages of 25 and 30, for instance, than between 20 and 25; fewer between 45 and 50 than between 40 and 45; and after the forties the total at each age period diminishes rapidly. But in Ireland

the results of a tragic history has reversed this condition in a way which has scarcely a parallel elsewhere.

The Census Report of 1911 made this condition very clear. Since the 'eighties, the yearly decline in population had lessened so much that the number of people born during the 'eighties (who would then have been in their twenties) was not much larger than the normal proportion. But the number of people who had been born between 1840 and 1860 (when the Irish population was very much greater than when the Census of 1911 was taken) was out of all proportion to normal conditions. Fifteen years have elapsed between then and the Census of 1926; and a great number of these old people have died off. But the proportion of young people, who should naturally have replaced the old people who had died, was far below the normal conditions of population, and had been still further diminished by the continuous emigration of young men and women. Under such conditions a considerable decrease of the population was inevitable in the period covered by the years between the Census of 1911 and that of 1926, even if there had not been some 50,000 Irish men of military age killed in the European war and if emigration had not revived on an increasing scale because of economic depression in the whole country. Nothing could have prevented this decline in the population. One direct result of this peculiarity of the Irish population figures is that, whereas in England the State's liability to pay old age pensions increases every year at a considerable and steady rate, in Ireland the liability tends to diminish, as the old people, born at a time when Ireland was much more thickly populated, are steadily disappearing.

Only one change—a great increase in the number of marriages—could have counteracted this steady decline of the Irish population, through the disappearance of those who survived from earlier times. The

marriage rate in Ireland has for years been lower than in almost any other country. A comparison with the figures for other countries in past years shows an average rate of 8 or 9 marriages per 1000 people in Ireland, against averages ranging from 14 to 18 elsewhere. The years before 1914 brought no increase, and there has been no improvement since. The marriage rate in the excluded area of Eastern Ulster was always higher than in agricultural Ireland, because of the greater opportunities for young people to become self-supporting in industrial districts. In 1920 there were some 26,800 marriages in the whole of Ireland; in 1921 the number fell to some 23,200, and the same figure was recorded in the following year. In 1923 there was a slight increase to 23,600; but in 1924 the separate figures showed that out of roughly 22,300 marriages in the whole of Ireland, roughly one-third of these were in the excluded six counties. In the whole of the Free State the number of marriages was only 14,800. In 1924 there were no more than 13,820, showing a marriage rate of roughly nine per thousand people, in contrast to twelve in Northern Ireland, thirteen in Scotland, and fifteen in England and Wales.

With so low a marriage rate, there could be no hope that the yearly drain of emigration and the gradual disappearance of the older people would be overtaken by a high birth-rate. The marriage statistics showed that not only were marriages very few, but that they were chiefly at an age when large families could not be expected. The figures in each Census report for decades past reveal a condition which must be almost unique in Europe. Nowhere else is the proportion of unmarried young men so high. The 1911 Census showed that out of half a million young men between the ages of twenty and thirty-five, four out of every five were unmarried; and even between the ages of thirty-five and forty-five, two men out of every five

had not yet married. The figures concerning the young women showed a correspondingly late age for marriage. Only one in eight of the young women between twenty and twenty-five were married, and only a little more than half of those between twenty-five and thirty-five had married. There can be few countries in the world with so large a proportion of unmarried people. Even above the age of twenty-five, nearly half the entire population were shown by the Census report to be unmarried. In such circumstances it was impossible to look for a birth-rate as high as might naturally be expected in a country where large families are still the rule. In families whose parents married young, the average number of children is actually seven or eight. And in spite of so few marriages, and of their usually taking place at late ages, the annual returns of births in Ireland do show a most surprisingly high average of children to every marriage. This natural fertility in the Irish population promises a very rapid increase if economic conditions can improve, and if more young people can have an opportunity of establishing homes of their own. With a much lower marriage rate than any of the component parts of Great Britain, the Irish Free State still shows a much larger average of births every year. The contrast year after year has been most remarkable. Although the Free State has only nine marriages for every thousand people, as compared with fifteen in England and Wales, these fewer marriages show an annual average of twenty-one births per thousand people in the Free State, as against only eighteen in England and Wales. Broadly speaking it can be said that each marriage in Ireland produces twice as many children as a marriage in England and Wales.

In view of this general lack of opportunity for early marriages, the drift to the towns from the countryside,

which has gone on steadily for many years, to some extent must be regarded as a hopeful sign. The same tendency has been very marked in most countries during the past century. The criticism that it reveals the despondency and the distress of the country districts in Ireland may be admitted; but the tendency to leave the country for the towns does bring relief to the old problem of 'congestion' in Ireland which has existed for generations. Ireland still suffers from the tragic results of Cromwell's brutal policy of driving the Catholic peasantry 'to hell or to Connaught.' They were driven in swarms across the Shannon to the barren mountains and coastline of the west, where for generations the peasantry with their large families had to live as best they could in a half-starved state, depending upon what small crops of potatoes they could grow on their diminutive and unfertile farms. The failure of the potato crop for three years in succession in the 'forties compelled them to emigrate in thousands to avoid the actual starvation that exterminated a multitude of them in those bitter years. Emigration has to some extent solved the problem, by draining Ireland of her people; while the rich pasture lands of the whole midland plain have been given over to grazing cattle and sheep, under a land system which paid no attention to the economy of the country. In the 'nineties, when the population had already fallen from 8,500,000 to barely 5,000,000, Mr. Balfour brought some measure of belated relief to a problem which had at last been reduced by emigration and death to more manageable dimensions. The Congested Districts Board undertook the reorganisation of practically the whole west of Ireland; creating compact small farms to replace the scattered pieces of land which, through accidents of inheritance and other causes, had become typical of the peasant holdings. The Land Acts, won by a

protracted agitation on the part of the peasantry, gave them security of tenure, and at last an incentive to improve their conditions without fear of having their rents increased for every improvement. In 1903 Mr. George Wyndham's Land Purchase Act enabled them to become owners of their land outright. Under these new conditions, and with the assistance of the co-operative movement which Sir Horace Plunkett fostered, there has been a vast improvement in their position. But the diminutive farms which are typical of all the more thickly populated parts of the country are still barely sufficient to keep their owners above the starvation level in good years ; and a succession of bad harvests in recent years have brought parts of the country again to the verge of destitution.

So long as these conditions remain there can be no hope of any considerable advancement for the farmers' and labourers' sons throughout the western counties. If the population is to increase, the surplus of young men and women must look to the towns, and to industries which are yet to be established or developed, for the possibility of earning an independent livelihood. These basic facts have governed much of the policy of the Free State's first Government, in encouraging industrial development in every possible way. With the Shannon scheme, which for the first time provides the country with industrial power, a wholly altered prospect lies before the new generation. It will not only bring new amenities and possibilities to the agricultural districts, but give opportunities for the creation and the development of small towns. Hitherto, while the population has been dwindling steadily year after year, there has been a continual drift to the few towns which the Free State can show. The exclusion of Northern Ireland has deprived the Free State of the country's chief industrial centres ; and in the whole Free State, Dublin is now the only town of

any considerable size. Its population has grown steadily year by year even while the counties all around it were being drained of people. In no part of the country has the population diminished so rapidly as in the counties, some of them the most fertile in Ireland, which immediately surround it. Kildare, Meath, Westmeath, Queen's County, King's County and Wicklow have all been emptied by various causes: by the substitution of grazing for farming, by emigration, but above all by the tendency to seek a more hopeful and a gayer life in the capital.

There is a striking similarity between the movement of population in Ireland and in France, where the same results are apparent. In France, even without emigration, without a low marriage rate, and without a deadening system of land tenure, the great majority of the *départements* have been drained of their population for much the same reasons as in Ireland. Everywhere around the great centres of population the countryside has been emptied of its people, while the towns have grown. Only in those parts of the country where the big towns have grown up has the population increased, while it has decreased in the agricultural districts. Taking France as a whole, three out of every four of its *départements* have lost population in the past sixty years. The midlands and the west of France have emptied no less rapidly that the midlands and the west of Ireland; and in France, as in Ireland, it is the counties immediately adjacent to the cities which have lost most.

Another striking resemblance between the economic organisations of the two countries must be noted. The exclusion of Ulster from the Free State has been a loss no less overwhelming than would have been the exclusion from the rest of France of the north-eastern corner, with its great industrial population in the mining and industrial districts. And besides this

concentration of people in the north-east, France shows a very similar distribution of its other towns. In Ireland, as in France, the whole centre of the country is devoid of anything more important than isolated market towns. One crosses France diagonally from Nice to Brest or from Bayonne to Paris without meeting any large modern town, just as in Ireland there is no big town of any importance from Waterford to Sligo or from Tralee to Belfast. In both countries the only towns of any importance, apart from the capital and the industrial centres, lie in a chain of seaports all round the coast. Practically the whole list of Irish towns of any size consists in the series of sea-ports which includes Sligo, Galway, Tralee, Cork, Waterford, Wexford, Wicklow, Dublin, Drogheda and Dundalk.

In the Census of 1911 there were only half a dozen towns of any considerable population in the whole of Ireland apart from Dublin and Belfast. Even among the Ulster group of industrial towns Derry city alone had more than 15,000 people. Now that the Ulster group of towns has been excluded, the Free State contains only two cities of any important size; Dublin, with some 400,000 people, including its suburbs, and Cork with roughly 70,000. Only two others can be called large towns in the ordinary meaning of the phrase: Limerick, at the mouth of the Shannon, with some 40,000 people; and Waterford at the south-east corner of Ireland, with some 30,000. In the three counties of the province of Ulster which have been left to the Free State there are only a few small market towns. In Leinster, apart from Dublin and its suburbs, the only important towns are Dundalk and Drogheda with some 13,000 each; Wexford and Kilkenny with some 11,000 each; Athlone, Carlow, New Ross, Enniscorthy and Arklow, each round about 6,000. In Munster, Cork and its dependent

towns of Cobh and Middleton and Passage West include about 80,000 people in all; Limerick has 40,000 and Waterford less than 30,000; only two other towns, Clonmel and Tralee, have even 10,000 people; and about a dozen other small towns have round about 5,000 in each. The province of Connacht has fewest towns of all, and even the Shannon scheme can scarcely lead to any industrial development there. Galway has less than 15,000 people and Sligo about 11,000; and there are only two other towns which even approach a population of 5,000. One may say roughly that, in Dublin, Cork, Waterford and Limerick (the only towns in the Free State of any considerable size), there is a definite town population of less than 600,000 people. The other small towns of between 5,000 and 15,000 people account for about 100,000 more.

Less than one quarter of the entire population of the Free State, therefore, live in towns of even 5,000 inhabitants. The remaining three-quarters must be regarded as entirely dependent, either directly or indirectly, upon agriculture. The general distribution of the people can be quite simply indicated. The whole province of Connacht, together with the three remaining counties of Ulster (Donegal, Cavan and Monaghan) may be regarded as being peopled almost entirely by small farmers, agricultural labourers and fishermen with roughly 900,000 people. Munster contains roughly 1,000,000 people, of whom rather less than 200,000 live in towns, and the great majority of the remainder are small farmers or agricultural labourers. Leinster contains roughly 1,100,000 people, of whom about 400,000 live in Dublin and its suburbs, and about 100,000 more live in towns of some size. The entire industrial population of the country therefore may be regarded as being concentrated in a few areas: Cork, Limerick and Waterford being the only

important centres of industry in Munster, and the remainder are employed in various towns along the east coast of Leinster. The Shannon scheme may in time alter these conditions very considerably. But for the present it must be assumed that at least five-sixths of the people of the Free State—taking account of its commerce and its banking and its professional classes—depend for their prosperity upon the fortunes of the agricultural population. A few good seasons in succession for the farmers can transform the whole outlook ; increase the purchasing power of the country, provide savings to strengthen the Government and the banks, stimulate trade and the professions, and produce a general revival of confidence.

It has been not the least of the many adversities with which the Irish Government has had to contend, that the farmers, after being severely crippled by the consequences of the European war, have been depressed and discouraged, and have suffered cruelly from a succession of bad harvests. No alternative forms of employment have been available to counteract the depression of agriculture ; and the Government has had to organise work on reconstructing the roads and bridges, to employ many men on drainage schemes to relieve areas which are subject to flooding, and to push on its plans for developing the Shannon scheme, in order to cope with the inevitable weight of unemployment. Protective tariffs have been introduced to assist various small industries which were threatened by competition ; and in one important case, by subsidising the new sugar beet industry, the Government has increased the area under cultivation and has actually created new employment. Lack of mineral resources, lack of skilled labour, lack of capital, lack of transport facilities, lack of a population sufficient to provide a large home market, have hitherto prevented the development of any alternative form of

employment in almost every part of the country except the sea-port towns.

No very great change in the proportions of the different occupations of the people is likely to be shown in the interval between the Census of 1911 and that of 1926; and the Report of 1911 gives a fairly reliable picture of conditions as they still exist. The returns for the principal occupations of the people showed that out of roughly 1,900,000 people over twenty years of age, some 800,000 (being for the most part the wives and daughters of men in some form of employment) were classified in the 'indefinite and non-productive classes.' Of the remaining 1,100,000 persons in definite employment, half were directly engaged in agriculture. Many of the other classes of employment—small shopkeepers, professional people, transport workers, etc.—are in fact directly dependent on agriculture; and this consideration makes the general classification misleading. The professional class included some 100,000 people; the domestic class 100,000 more; commerce 60,000; agriculture 550,000 and industry of all kinds less than 300,000. This apparently large total of industrial workers appears in a different light when the details are examined. At least one quarter of them are accounted for by the dress-making trade. Road-making, the building and house decorating trades, account for as many more. The principal class of definitely industrial workers are employed in the brewing and distilling industries, in the bacon factories and biscuit making; while the great majority are returned simply as general labourers or mechanics, employed for the most part at the docks or on the railways and canals.

With so few alternative forms of employment, it is not surprising that the general depression of the country since the civil war, with a succession of bad harvests to increase the difficulties that resulted from

the slump in agricultural prices, has started the old stream of emigration again. It had diminished to very small proportions before 1914, and during the European war it ceased altogether. Now, it is from the same districts, and for the same causes as before, that the exodus has temporarily revived. The 'congested' small farms of the barren western seaboard have been suffering again from the destitution that bad harvests and weak markets bring. Kerry, Mayo, and Galway—the counties which had shown the highest rate of emigration for years past—are once again unable to support their poverty-stricken people. Many young people in all Connacht, and in the western counties of Munster and of Ulster have begun to seek escape in the old remedy of emigration; and the tendency is likely to continue until agricultural prospects have improved. Faced with this chronic problem of destitution in the west, the Government has so far been able to do little more than grant relief and spend money on road-making. The piers and other works built by the old Congested Districts Board before the war are now too small for the larger fishing fleets which alone can cope with the modern trawlers from other countries. A vast expenditure will be needed before the problem that Cromwell created, and that has haunted Ireland ever since, can be overcome.

One mitigation at any rate has been brought to the old curse of emigration. In the past, those who left Ireland in destitution almost invariably went so far that their return was extremely improbable. Eighty per cent. of the Irish emigrants before 1914 went to the United States of America; and of the remainder about half went to the Dominions and half to Great Britain. Now that America, and the Dominions also, have gone so far towards closing their doors to immigrants, the recent emigration from Ireland is

diverted largely to centres much nearer home. Glasgow, Liverpool, Cardiff, London, and other industrial cities of northern England are once again being invaded by Irish refugees seeking employment of any kind. Many of them no doubt will remain, and will help to increase the Irish population in Great Britain, which has already done much to eliminate the old tradition of hostility between the two countries. But many of them may be expected to return to Ireland as soon as conditions there have improved, when the farmers' bad luck changes, and when the strenuous efforts of the new Government to organise and develop agriculture and to create new industries around the Shannon scheme have had time to yield results. The more recent emigration from Ireland at least cannot yet be written off as an irrecoverable loss to the tragically shrunken population of the country.

Failure to prevent the continuance of emigration has, however, been one of the chief accusations brought against the Government by the Republican deputies since their entry into the Dáil. They have complained particularly that the majority of the recent emigrants have been young men and women connected with the Republican Party. Unreasonable though the accusation is, there is no doubt that it has played a large part in the general discontent with the Government. In reply to a question asked by one of the Republican deputies early in November, Mr. M'Gilligan gave the official figures, which, even though they refute many exaggerated notions that have been current, were still sufficiently discouraging. In 1924 some 19,000 emigrants sailed from Ireland for overseas, and the total increased to over 30,000 in each of the following years. No exact figures are available for the number of emigrants to Great Britain and Northern Ireland. But by comparing the number of persons who left the country with

those who entered it, the totals would appear to have been about 8,300 in 1924, about 3,700 in 1925, and 8,900 in 1926. The combined totals therefore justified Mr. M'Gilligan in saying that the emigration has never reached 40,000 a year in any of those three years; but the emigration of 100,000 young men and women in three years is a formidable loss. Nevertheless it is easy to exaggerate the evil effects of emigration; and under the better conditions which are already developing, this comparatively small annual emigration cannot be regarded as an unhealthy sign. For centuries Ireland has sent tens of thousands of enterprising young men and women to the Continent or to the New World; and the present influence of Ireland in America[1] and the Dominions is a direct result of their settlement in other countries, where they have built up a strong tradition of Irish sympathy and Irish ideals. It would be absurd to expect that so strong a racial characteristic would cease to operate, even under the most prosperous conditions imaginable in Ireland. But until conditions have improved sufficiently to make it possible for young people to marry at a reasonable early age, so that the birth-rate can increase naturally, emigration must remain a serious drain upon the small population which has been left after so many years of misgovernment and destitution.

[1] Throughout his recent visit to the United States, early in February 1928, Mr. Cosgrave was welcomed with intense enthusiasm. He insisted rightly, in all his speeches in America, that—apart from any vague calculations as to the numbers of the Irish American population—there are considerably more Irish people in the United States at present than in Ireland; and that many families in Ireland now had more relatives in America than at home. This fact cannot fail to attract many young people towards America in future, no matter how quickly economic conditions in Ireland may improve.

CHAPTER III

THE CONSTITUTION

Its fundamental provisions—Citizenship—Irish the national language—Liberties of the subject—Rights of minorities—The Legislature—Universal suffrage for men and women—Constituencies and their revision—The Executive Council—The Judiciary—Military Courts—General approval—The Labour Party's pledge to support it—Important recent admissions by Mr. de Valera.

After the interminable debates on the Treaty, which dragged through December 1921 in the second Dáil, and ended in its acceptance by a majority of 64 against 57, the Republicans abstained from all further participation in the Dáil for more than five years. A general election was held under the paralysing conditions imposed by a coalition pact agreed upon between Michael Collins and Mr. de Valera; and the first business of the third Dáil, when it assembled as a constituent assembly in September 1922, was to frame the Constitution which, under the Treaty, had to be adopted by the Imperial Parliament before the end of the first week in December. The Treaty itself had laid down certain conditions concerning the relations between the Free State and the Imperial Government, and concerning questions of defence, so that on these matters the Constitution was already prescribed in advance. On other matters the Government had to make its own proposals. There is no need to summarise the provisions of the Constitution here in full. Some of them have since

been amended by the various Constitution Amendment Acts, which will form the subject of a later chapter. But the more important and fundamental characteristics of the Constitution which was evolved by the third Dáil must be enumerated.

Article 1 defined the Irish Free State as 'a co-equal member of the Community of Nations forming the British Commonwealth of Nations,' and Article 2 declared that:

'All powers of government and all authority, legislative, executive, and judicial, in Ireland are derived from the people of Ireland and the same shall be exercised in the Irish Free State through the organisations established by or under, and in accord with, this Constitution.'

In Article 3 the question of citizenship of the Free State is defined as follows:

'Every person, without distinction of sex, domiciled in the area of the jurisdiction of the Irish Free State, at the time of the coming into operation of this Constitution, who was born in Ireland, or either of whose parents was born in Ireland, or who has been ordinarily resident in the area of the jurisdiction of the Irish Free State for not less than seven years, is a citizen of the Irish Free State and shall within the limits of the jurisdiction of the Irish Free State enjoy the privileges and be subject to the obligations of such citizenship: Provided that any such person being a citizen of another State may elect not to accept the citizenship hereby conferred; and the conditions governing the future acquisition and termination of citizenship in the Irish Free State shall be determined by law.'

Throughout the Constitution the terms Irish Free State and its Gaelic equivalent Saorstát Eireann are always used in conjunction, and Article 4 declared that:

'The National language of the Irish Free State is the Irish language, but the English language shall be equally recognised as an official language. Nothing in this Article shall

prevent special provisions being made by the Parliament of the Irish Free State (otherwise called and herein generally referred to as the " Oireachtas ") for districts or areas in which only one language is in general use.'

The natural rights and liberties of all citizens are defined by Article 6, which declared that :

' The liberty of the person is inviolable, and no person shall be deprived of his liberty except in accordance with law. Upon complaint made by or on behalf of any person that he is being unlawfully detained, the High Court and any and every judge thereof shall forthwith enquire into the same, and may make an order requiring the person in whose custody such person shall be detained to produce the body of the person so detained before such Court or judge without delay, and to certify in writing as to the cause of the detention, and such Court or judge shall thereupon order the release of such person unless satisfied that he is being detained in accordance with the law :

' Provided, however, that nothing in this Article contained shall be invoked to prohibit control or interfere with the act of the military forces of the Irish Free State during the existence of a state of war or armed rebellion.'

Article 7 reinforces this by declaring that ' the dwelling of each citizen is inviolable and shall not be forcibly entered except in accordance with law.'

In Article 8 the rights of religious minorities are safeguarded as follows :

' Freedom of conscience and the free profession and practice of religion are, subject to public order and morality, guaranteed to every citizen, and no law may be made either directly or indirectly to endow any religion, or prohibit or restrict the free exercise thereof or give any preference, or impose any disability on account of religious belief or religious status, or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at the school, or make any discrimination as respects State aid between schools under the management of different religious denominations, or divert from any religious denomination or any educational

institution any of its property except for the purpose of roads, railways, lighting, water or drainage works or other works of public utility, and on payment of compensation.'

The right of free expression of opinion as well as the right to assemble peaceably and without arms, and to form associations or unions, is guaranteed, for purposes not opposed to public morality, under Article 9, which also enacts that 'laws regulating the manner in which the right of forming associations and the rights of free assembly may be exercised shall contain no political, religious, or class distinction.'

Free elementary education is declared by Article 10 to be the right of every citizen of the Free State.

Provision for the legislature is made by Article 12, which decrees that:

'A legislature is hereby created to be known as the Oireachtas. It shall consist of the King and two Houses, the Chamber of Deputies and the Senate. The sole and exclusive power of making laws for the peace, order and good government of the Irish Free State is vested in the Oireachtas.'

And the following Article says that 'the Oireachtas shall sit in or near the city of Dublin or in such other place as from time to time it may determine.'

Complete adult suffrage for both sexes is established by Article 14, which decrees that:

'All citizens of the Irish Free State without distinction of sex, who have reached the age of twenty-one years and who comply with the provisions of the prevailing electoral laws, shall have the right to vote for members of Dáil Eireann, and to take part in the Referendum and Initiative. All citizens of the Irish Free State without distinction of sex who have reached the age of thirty years and who comply with the provisions of the prevailing electoral laws, shall have the right to vote for members of Seanad Eireann. No voter may exercise more than one vote at an election to either House and the voting shall be by secret ballot. The mode and place shall be determined by law.'

Membership of Dáil Eireann is by Article 15 declared open to 'every citizen who has reached the age of twenty-one years and who is not placed under disability or incapacity by the Constitution or by law.' No one may be at the same time a member of both the Dáil and the Senate; but a member of either House may stand for election in the other House, but must forfeit his first seat if he is elected to the other.

Article 17, which will be fully discussed in a separate chapter, incorporates the form of oath of allegiance that was agreed upon in the Treaty and enjoins that 'such oath shall be taken and subscribed by every member of the Oireachtas before taking his seat therein before the Representative of the Crown or some person authorised by him.'

Under later Articles, dealing with the powers and the composition of the Oireachtas, it is decreed that its members shall be paid and may receive free travelling facilities in any part of Ireland. Actually the salary of members of both Houses has been fixed at £360 a year. At least one Session of the Oireachtas is necessary each year, and sittings of both Houses must be public, except in special emergencies, when the consent of two-thirds of the members present is required. The Dáil fixes the date for the Oireachtas to reassemble, and also the date when each House shall conclude its session; but the Senate must consent to the conclusion of its own sessions.

The number and character of constituencies from which members of the Dáil are elected is determined by law. Article 26 decrees that:

'The number of members shall be fixed from time to time by the Oireachtas, but the total number of members of Dáil Eireann (exclusive of members for the Universities) shall not be fixed at less than one member for each thirty thousand of the population, or at more than one member

for each twenty thousand of the population : Provided that the proportion between the numbers of members to be elected at any time for each constituency and the population of each constituency, as ascertained at the last preceding census, shall, so far as possible, be identical throughout the country.'

Election of members must be based upon principles of Proportional Representation. And the Oireachtas is obliged to revise the constituencies at least once in every ten years, with regard to changes in the distribution of the population. In addition to these constituencies, the two Universities which were in existence when the Constitution was enacted each elect three representatives.

The duration of the Dáil is fixed at not more than four [1] years by Article 28, and it cannot be dissolved except on the advice of the Executive Council, which must, however, retain the support of a majority in the Dáil before it can ask for a dissolution. Polling, except for the University members, is to take place on the same day all over the country, within thirty days of the dissolution of the Dáil.

Other important and vital provisions are that the Oireachtas shall have no power to declare acts to be infringements of the law which were not so at the date of their commission ; that the Oireachtas may create subordinate legislatures with such powers as may be decided by law ; and that the Oireachtas has the exclusive right to regulate the raising and maintaining of such armed forces as are mentioned in the Treaty within the territory of the Free State, and every such force shall be subject to the control of the Oireachtas. And in Article 49, the principle is asserted that ' Save in the case of actual invasion, the Irish Free State shall not be committed to active participation in any war without the assent of the Oireachtas.'

[1] See Chapter IX for the subsequent amendment of this time limit.

Experience has led to a modification of many ideas which decided the provisions of the Constitution in regard to the Executive Council. Article 51 declared that :

'The Executive Authority of the Irish Free State is hereby declared to be vested in the King, and shall be exercisable, in accordance with the law, practice and constitutional usage governing the exercise of the Executive Authority in the case of the Dominion of Canada, by the Representative of the Crown. There shall be a Council to aid and advise the government of the Irish Free State, to be styled the Executive Council. The Executive Council shall be responsible to Dáil Eireann, and shall consist of not more than seven or less than five Ministers appointed by the Representative of the Crown on the nomination of the President of the Executive Council.'

And the following Article prescribes that all those Ministers who form the Executive Council shall be members of the Dáil and shall include the President and Vice-President of the Council and also the Minister for Finance.

While the President of the Executive Council is, under Article 53, directly nominated by the Dáil, he himself then selects his own colleagues and the list is presented for approval *en bloc*[1] by the Dáil. The Article decrees that :

'He shall nominate a Vice-President of the Council, who shall act for all purposes in the place of the President, if the President shall die, resign, or be permanently incapacitated, until a new President of the Council shall have been elected. The Vice-President shall also act in the place of the President during his temporary absence. The other Ministers who are to hold office as members of the Executive Council, shall be appointed on the nomination of the President, with the assent of Dáil Eireann, and he and the Ministers nominated by him shall retire from office should he cease to retain the support of a majority in Dáil Eireann,

[1] See Chapter IX, which describes the objections raised to this procedure by Mr. de Valera's party.

but the President and such Ministers shall continue to carry on their duties until their successors shall have been appointed: Provided, however, that the Oireachtas shall not be dissolved on the advice of an Executive Council which has ceased to retain the support of a majority in Dáil Eireann.'

It was believed at first that the example of Switzerland could be usefully followed by the appointment of extern Ministers also who should not be members of the Executive Council or share its collective responsibility. Article 55 made provision for the appointment of such Ministers directly by a Committee of the Dáil, and Article 56 makes such Ministers individually responsible to the Dáil alone for the administration of their Departments. But in practice this system, which was adopted at first, led to inconvenience and friction, owing particularly to the attitude of the Minister for Posts and Telegraphs, who disagreed strongly with the Executive Council on various matters and made speeches criticising its general policy. Experience showed that individual responsibility was impossible in practice because every Department must depend upon the Ministry of Finance and the policy that it pursued in accord with the whole Executive Council. An Amendment to these Articles was carried before the conclusion of the fourth Dáil, and its passage involved debates and disagreements which will be noted in the following chapters dealing with the Senate and with the amendment of the Constitution.

In regard to the judiciary a number of other important Articles must also be noted. Article 64 declared that:

'The judicial power of the Irish Free State shall be exercised and justice administered in the public Courts established by the Oireachtas by judges appointed in manner hereafter provided. These Courts shall comprise Courts of First Instance and a Court of Final Appeal to be called the Supreme Court. The Courts of First Instance shall include

a High Court, invested with full original jurisdiction in and power to determine all matters and questions whether of law or fact, civil or criminal, and also Courts of local and limited jurisdiction with a right of appeal as determined by law.'

A difficulty arose before long in connection with the right of appeal from the Supreme Court of the Free State to the Judicial Committee of the Privy Council, which will be dealt with in a separate chapter. Article 66 defined the rights of the Free State Courts in the matter as follows :

'The Supreme Court of the Irish Free State shall, with such exceptions (not including cases which involve question as to the validity of any law) and subject to such regulations as may be prescribed by law, have appellate jurisdiction from all decisions of the High Court. The decision of the Supreme Court shall in all cases be final and conclusive, and shall not be reviewed or capable of being reviewed by any other Court, Tribunal or Authority whatsoever : Provided that nothing in this Constitution shall impair the right of any person to petition His Majesty for special leave to appeal from the Supreme Court to His Majesty in Council or the right of His Majesty to grant such leave.'

Finally the Constitution made the following provisions in regard to the independence of judges and the rights of citizens in relation to the Courts. Article 69 provides that :

'All judges shall be independent in the exercise of their functions, and subject only to the Constitution and the law. A judge shall not be eligible to sit in the Oireachtas, and shall not hold any other office or position of emolument.'

Article 70 provides that :

'No one shall be tried save in due course of law, and extraordinary Courts shall not be established, save only such Military Tribunals as may be authorised by law for dealing with military offenders against military law. The jurisdiction of Military Tribunals shall not be extended to or

exercised over the civil population save in time of war, or armed rebellion, and for acts committed in time of war, or armed rebellion, and in accordance with the regulations to be prescribed by law. Such jurisdiction shall not be exercised in any area in which all Civil Courts are open or capable of being held, and no person shall be removed from one area to another for the purpose of creating such jurisdiction.'

And Article 72, that :

'No person shall be tried on any criminal charge without a jury save in the case of charges in respect of minor offences triable by law before a Court of Summary Jurisdiction and in the case of charges for offences against military law triable by Court-Martial or other Military Tribunal.'

The remaining Articles deal with various matters involved in the transition to the new regime, and have no longer any actual bearing on the position of the Free State, beyond the fact that they involved the payment of certain pensions and financial claims.

It is on this Constitution, with its democratic basis, rather than upon the Treaty, that the Government Party in the Free State has appealed again and again in the elections for a popular mandate ; and there is not the smallest doubt that the Constitution commands the support of an overwhelming majority of the electorate. Only after his declaration that he would undertake to become the leader of a constitutional opposition has Mr. de Valera been able to mobilise in support of his own party the various discontented elements, which had hitherto voted for candidates put forward by the Labour Party, the Farmer's Party or the National League, in their desire for a change of Government, tempered only by a fear that the Constitution might be endangered if they voted for the Republicans. The Government has, of course, claimed throughout that the Constitution

provides full scope for all that Irish nationalism can hope to achieve for years to come. Mr. Cosgrave, in defending his own policy of forcing the Republicans to enter the Dáil by the Electoral Amendment Bill of August 1927, put the case quite clearly. The Republicans, he said, claimed that all the votes they obtained were votes against the settlement based upon the Treaty. But during the last elections, he pointed out, not two of the Republican candidates seemed to be of one mind. Some were against the Treaty, others pretended that they were merely opposed to the oath which it contained. Even if the maximum claims were conceded, and all votes for Republican candidates were regarded as votes against the Treaty, the opponents of the Treaty were still in a minority of one-third of the electorate. The issue of the Treaty, said Mr. Cosgrave, had now been before the people at least three times. The country had been run on the most democratic lines. Every adult had a vote; deputies were elected on a basis of proportional representation; the rights of minorities were amply recognised and provided for.

It was Mr. Blythe, the Minister for Finance and the successor of Kevin O'Higgins as Vice-President of the Executive Council, himself formerly one of the most ardent leaders of the young Sinn Féin movement, who declared at the last elections that he was so satisfied with the Constitution of the Free State that he 'would not lift a finger' to get a Republic instead of it, however easily a Republic might be secured. This statement was no more than what the vast majority of Irishmen have thought for the past four or five years—ever since that first demonstration of popular opinion after the Terror, when every one of the 34 deputies who were elected outside the panel agreed upon between Michael Collins and Mr. de Valera, was found to be a supporter of the settlement. It was the

Labour Party who gave a lead in nominating candidates in that election without regard to the instructions issued jointly on behalf of the two wings of Sinn Féin. And the case for the Constitution has never been more emphatically expressed than by Mr. Johnson, as Leader of the Labour Party, in that momentous debate of August 1927, when it was regarded as a foregone conclusion that Mr. Cosgrave's Government would fall and be replaced by a Coalition over which the Labour Party would preside. Stating his profession of faith to the Dáil in the belief that in a few hours' time he would have become Mr. Cosgrave's successor-designate as President of the Executive Council, Mr. Johnson spoke in the following terms:

'We are going to give the Treaty and the Constitution the fullest possible support and maintenance. We are going to maintain the Treaty and the Constitution. We are going to maintain the Constitution as well as the Treaty, and the safeguards for public liberty, for public expression, and for political activities, which the Constitution provides. The people in the Saorstát are supreme. I have never doubted that within the Constitution, based upon the Treaty, the people of Ireland, by their votes, are capable of governing this country in all domestic concerns one hundred per cent. . . . We have it stated in our Treaty and our Constitution that all powers of Government and all authority—legislative, executive, and judicial—in Ireland are derived from the people of Ireland. We have it stated that the Executive is responsible to Parliament. We have it stated that executive power is vested in the King, who in this Constitution is responsible to Parliament, and the Parliament are responsible to the people. That is ensuring the people of the country authority and power which is complete and absolute. . . . Let us at least try to the utmost the powers we have. That is the doctrine that I preach and the policy that I for one will follow. . . . We would, if we had anything to do with the future government of the country, maintain the Treaty and the Constitution, including the safeguards for public liberty and political expression which the Constitution has guaranteed.'

But while the Labour Party thus takes its stand firmly on the Treaty and the Constitution, there can be very little doubt that the demand for a revision of the Treaty itself will have to be considered seriously when the revision of the Constitution, which is admittedly necessary, comes up for debate. Certain features of the Constitution—for instance, in connection with the Senate—are the direct outcome of the Treaty; and since the Imperial Government has already agreed to revise the Treaty by eliminating the Articles which concerned the Ulster boundaries and also the Irish contribution to the National Debt, no Article in the Treaty can be regarded as sacrosanct. Captain Redmond, who is a thorough-going supporter of the Imperial connection, was quite prepared to undertake negotiations with the Imperial Government for an amendment, if not the abolition, of the oath of allegiance, in order to facilitate the entry of the Republicans into the Dáil. And since their entry into it, Mr. de Valera himself has made speeches which show that he is quite prepared to regard the Constitution with real enthusiasm if it is amended in certain directions. 'Our attitude to the Constitution,' he said in the Dáil on November 10th, 'is pretty well known. In so far as there is any part of it which can be regarded as having been freely accepted by the Irish people or their representatives, we accept it. But that part of the Constitution which has been imposed upon this country has always been opposed by us. It is our hope to change those Articles of it. But there are certain Articles of it which are admirable. . . .' It will be seen in the chapter on the Oath of Allegiance how very slender was the difference between what Mr. de Valera was himself willing to accept and what was actually accepted by his plenipotentiaries. To anyone who studies the Constitution it must be apparent that the great majority of its

clauses are such as Mr. de Valera would have to describe as 'admirable'; and that only on a very few of its clauses is there any outstanding difficulty. And even in these a verbal rearrangement could easily meet the demands upon which he and his Party have insisted so disastrously for the past five years.

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CHAPTER IV

THE OATH OF ALLEGIANCE

A stumbling-block to the Republicans—Mr. Cosgrave's attitude—Demands for removal of the Oath by negotiation—Mr. de Valera's original alternative—' Document No. 2 '—Indifference of other Parties to the Oath—Labour Party's dislike of it—A Minister's view—The Free State Flag—The Union Jack—Armistice Day celebrations.

For five years now, one Article of the Constitution more than any other has been the stumbling-block to political co-operation and settlement in the Free State. At long last, yielding to a skilful and determined manœuvre by Mr. Cosgrave in forcing them to enter the Dáil rather than risk the extinction of their party at the next elections, the Republicans agreed on August 12th, 1927, to take the Oath of Allegiance contained in Article 17 of the Constitution, which was inserted in fulfilment of the Treaty provisions. That the Republicans have done so after first protesting that they regard the oath as an ' empty formula ' may be regarded as a matter of little importance. That singularly undignified solution of the difficulty has been open to them at any time since the Treaty was signed. They have capitulated at last only because they realised that the electorate would not indefinitely continue to support them in their attitude of *non possumus*. The Electoral Amendment Bill which forced them to enter the Dáil prescribed that every candidate for election as a deputy must first proclaim his intention of fulfilling the

requirements of the Constitution, so that he could sit in the Dáil. If the Republicans could have had confidence in popular support for their own attitude, they might easily have evaded the difficulty by voting solidly for Labour or other candidates pledged to repeal the Bill, instead of putting forward candidates of their own. But they saw that their policy no longer commanded any real popular sympathy, and they decided to enter the Dáil at once, after taking the same oath which only a few months previously, at the elections for the fifth Dáil, they had professed their unchangeable resolution to refuse.

Yet the oath prescribed by Article 17 of the Constitution in fact embodies a very large concession in comparison with the oaths imposed in other Dominions. Mr. Cosgrave made this clear in defending his own policy in introducing the Electoral Amendment Bill in August. 'It is a binding oath,' he said, 'and when I take it I mean to keep it. I believe that a public representative who takes that oath should take it with the intention of keeping it.' But people should remember, he insisted, 'what a big advance they had got upon the other Dominions.' The oath in South Africa was as follows: 'I do swear that I will be faithful to and bear true allegiance to His Majesty the King, his heirs and successors according to the law, so help me God.' In Canada the oath was 'I do swear that I will be faithful and bear true allegiance to His Majesty.' The Irish Free State oath was to 'bear true faith and allegiance to the Constitution of the Irish Free State' and to 'be faithful to H.M. King George V., his heirs and successors by law, in virtue of the common citizenship of Ireland and Great Britain, and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.' There was nothing in that of which any honest Irishman should be ashamed, said

Mr. Cosgrave, 'nothing to warrant unconstitutional methods.'

Having accepted the Oath of Allegiance as an obligation of the Treaty, the Government has refused consistently to discuss any question of its amendment or its omission, notwithstanding a very considerable agitation in the country for its abolition. Just before the conclusion of the Fourth Dáil a definite attempt was made to secure the removal of the Oath of Allegiance by Mr. Dan Breen, one of the irreconcilable Republicans who sometime after the conclusion of the civil war attempted to bring about a reconciliation between the two sections of the old Sinn Féin agitation, on the basis of demanding a removal of the oath. In April 1927 he introduced a Bill into the Dáil to amend the Constitution by repealing Article 17; but the Government took the drastic and most unusual step of refusing to allow it even the formality of a first reading. Mr. Cosgrave personally moved its rejection in the name of the Government, on the ground that it sought to remove a fundamental provision of the Constitution which had its roots in the Treaty.

'It proposes,' said Mr. Cosgrave, 'to take out of the Constitution the oath prescribed in the Treaty. That Treaty bears the signature of five Plenipotentiaries appointed by Dáil Eireann, and it was approved by Dáil Eireann. On the first occasion that the people had an opportunity of registering their opinion they returned a majority of representatives in favour of the Treaty. The proposed Constitution was published on the morning of the General Election in June, 1922. The Constitution was then considered, amended and passed by Dáil Eireann, and during the passage of the Constitution Bill this very issue which the present Bill raises was made a matter of confidence by the Government. Within fourteen months another General Election took place on a new and extended franchise,

and the result was an overwhelming majority for the Treaty and Constitution.'

There had since been 21 bye-elections, the results of which had been 17 for the Treaty and Constitution and 4 against it. In only one case was there an election for a seat vacated by an anti-Treaty Deputy, and that seat was won by the candidate in favour of the Treaty. So much for popular opinion on the matter. 'The Government opposes this Bill,' concluded President Cosgrave. 'We oppose its First Reading because we believe in honouring our bond, we believe in the sanctity of international agreements. We oppose its First Reading because our honour as the representatives of a nation which has approved of that Treaty is bound to the carrying out of our part of the transaction.'

In the elections which followed a few weeks later, this question of removing the Oath of Allegiance from the Constitution figured very largely in the programme of the Republican Party, and they undoubtedly obtained considerable support from people who believed that negotiations could easily be started with the Imperial Government which would result in its elimination. Mr. Cosgrave's Government was represented to the electorate as insisting upon a strict adherence to the Oath of Allegiance which was no longer necessary; and he was accused of failing to open negotiations with the Imperial Government on the subject merely in order to justify his own consistency in politics. This accusation, combined with lavish promises of work for the unemployed and of many other things which were widely desired, did, in fact, reduce the strength of the Government Party from 57 to 46 members in the fifth Dáil, and Mr. Cosgrave had to confront a situation in which he no longer had a majority with which to form a Government. He dealt with this accusation at once, in his

speech in which he offered to stand down in favour of any other deputy who might feel himself capable of forming a Coalition Government. 'There has been so much loose thinking and loose talk and misleading propaganda,' he said, 'about Article 17 of the Constitution that I think it desirable to re-state the position. It is this; that as long as the Treaty remains, neither this House nor any other assembly can remove the obligation which the Treaty imposes upon elected representatives of subscribing to the oath prescribed in Article 4 of the Treaty. The Irish people, through their representatives, can denounce the Treaty. They cannot alter it except by agreement with Great Britain, ratified by legislation on both sides, but until it is either denounced or altered, the oath must remain, because the international obligations of any country override its internal laws.'

'We have neither sought nor received,' he went on, 'any mandate for the denunciation of the Treaty, and we do not intend to take any steps in the matter. Nor have we sought any mandate for its alteration. The party which asked for that mandate did not obtain it, notwithstanding the fact they enshrined their request in a bower of rosy promises. They dangled before the people visions of bread and work for all, smaller taxes, no Land Commission annuities, no emigration, no partition. Now they have taken up the position that unless some other party saves their faces in the matter of the difference between the oath in the Treaty and the oath which their leader himself drafted with the annual tribute to His Majesty super-imposed, they cannot put their promises to the test of performance. We have no intention of imperilling our good relations with Great Britain to secure a dishonest saving of faces or to acquiesce in a national deception. The fact is,' concluded Mr. Cosgrave, 'that Fianna Fáil are not being kept out of the Dáil by the oath,

they are sheltering behind this subterfuge because they know that their fantastic promises cannot be fulfilled.'

In all their speeches the Republicans have never been able to explain away the fact that Mr. de Valera himself had proposed, in a document which became famous as 'Document No. 2,' an oath of allegiance which for all practical purposes was identical in effect with that incorporated in the Treaty which Collins and Griffith had signed in London as plenipotentiaries. This document, which was submitted to the Dáil in its secret session which lasted three days during December, 1921, when Mr. de Valera had announced his repudiation of the Treaty, contained the alternative proposals which Mr. De Valera, under pressure from a bewildered Dáil, agreed to submit to them in private. 'The proposals,' writes General Béaslaí in his *Life of Michael Collins*, 'turned out to be the famous "Document No. 2." which varied from the signed Treaty about as much as Tweedledum from Tweedledee. The reader . . . will find that the majority of the paragraphs are identical, word for word, with those of the Treaty, and that, when they differ, it is only a difference of phraseology. The British Empire, the English King, liability for the English National Debt and for pensions to English officials and police in Ireland, partition, the granting of English naval bases in Ireland—all are swallowed.'

It is unnecessary to deal here in any detail with the celebrated Document—the publication of which did more than anything else to damage the prestige of Mr. de Valera. In regard to Ireland's relations with the British Empire, Mr. de Valera's proposals were :

(1) That for purposes of common concern, Ireland shall be associated with the States of the British Commonwealth, viz. : the Kingdom of Great Britain,

the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa.

(2) That when acting as an Associate, the rights, status, and privileges of Ireland shall be in no respect less than those enjoyed by any of the component States of the British Commonwealth.

(3) That the matters of 'common concern' shall include Defence, Peace and War, Political Treaties, and all matters now treated as of common concern amongst the States of the British Commonwealth, and that in these matters there shall be between Ireland and the States of the British Commonwealth such concerted action founded on consultation as the several Governments may determine.

(4) That in virtue of this association of Ireland with the States of the British Commonwealth, citizens of Ireland in any of these States shall not be subject to any disabilities which a citizen of one of the component States of the British Commonwealth would not be subject to, and reciprocally for citizens of these States in Ireland.

(5) That for purposes of this Association, Ireland shall recognise His Britannic Majesty as head of the Association.

In addition to these provisions Mr. de Valera had also actually proposed, and had secured the assent of even so implacable a Republican as his colleague Mr. Cathal Brugha, that the Irish Legislature should vote an annual voluntary contribution to the King's personal revenue, although no such obligation was contained in the Treaty. And in regard to the question of allegiance Mr. de Valera had drafted the following oath which he declared himself willing to take :

'I . . . do swear to bear true faith and allegiance to the Constitution of Ireland, and the Treaty of Association of Ireland with the British Common-

wealth of Nations, and to recognise the King of Great Britain as Head of the Associated States.'

For all practical purposes this oath proposed by Mr. de Valera may surely be regarded as being in no respect different to the oath prescribed in the Treaty and embodied in the Constitution of the Free State, which runs :

'I . . . do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established, and that I will be faithful to H.M. King George V., his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.'

The plain truth is that the vast majority of people in Ireland take no interest whatever in the question of the oath ; and that the open admission by Mr. de Valera and his colleagues that they proposed to swear an oath with the intention of disregarding it, aroused no particular emotion of resentment. Mr. Johnson as Leader of the Opposition expressed a view which is general not only in Ireland, but probably in most other countries as well, when he said in the Dáil that his own party regarded the imposition of any oath of allegiance as a bad policy, causing needless difficulties. Most Irish people would in all probability prefer to see the oath abolished altogether, on the ground that no such oath can really have a permanently binding force, since Parliament can always alter the Constitution to which allegiance is sworn. So many monarchies have been overthrown or have disappeared in recent years that it is impossible to regard even the English throne as permanently inviolable ; and the oath of allegiance to it—whether in the form embodied in the Treaty or in the form which Mr. de Valera himself prescribed, or whether

in the form which is taken by members of the House of Commons in London, can scarcely be regarded as much more than an academic issue.

In the debate on the Electoral Amendment Bill, which imposed the taking of the oath upon all candidates for future parliamentary elections, as well as upon elected members, this attitude was evidently widespread. Mr. Baxter, as leader of the Farmers' Party, could not see the wisdom or the necessity of making obligatory by Act of Parliament a declaration by candidates for election which might later on, by consent of the representatives of both countries, be removed or altered. Mr. Johnson, expressing the attitude of the Labour Party, declared that they attached very little importance to the oath, or to whether it was retained or abolished. And Captain Redmond, who has inherited a profound sense of constitutional tradition, agreed entirely with Mr. Johnson's argument that no Government had any right to dictate as to what sort of candidates should present themselves for election. Mr. Johnson insisted that the ultimate right to change the Constitution lay with the people, and that the possibility of electing candidates who were definitely opposed to the Constitution as it stood was a most useful and necessary safety valve for discontent. Captain Redmond went further in declaring that the Government's Bill even violated the spirit of the Constitution, while apparently insisting upon its integrity as it stood.

But while there was much substance in this argument—which even led Captain Redmond and the Labour Party to form an alliance with the Republicans, on the definite understanding that negotiations should be opened in London to secure some alteration of the Oath of Allegiance by the consent of both countries—it may be assumed that the attitude of most people towards the oath was that of the Labour Party, in

refusing to attach much importance to it, whether it remained or was altered or abolished. But Mr. Hogan, the Minister for Agriculture, one of the ablest of Mr. Cosgrave's lieutenants and the most outspoken and impetuous member of the Executive Council, nailed his colours to the mast in a speech which deserves to be recorded. For his own part, he declared with characteristic emphasis, he had 'every enthusiasm for the oath.' An amazed Republican deputy, Mr. Belton—who had entered the Dáil a few weeks before the rest of his party—interrupted to ask incredulously whether Mr. Hogan's enthusiasm extended to the King as well. To which Mr. Hogan replied, with blunt common-sense, that it did, since he regarded 'the King as representing the majority of the Irish people.' Surely, he protested, 'we ought to realise that the King is only a constitutional way of saying the Government elected by the majority will of the people. Constitutionally, there is no doubt whatever about it. The King is no more than the Government elected by the majority of the people. So long as the oath is an oath of allegiance to the Government constituted by the Oireachtas,' he asserted, 'representing the majority will of the people, I have every enthusiasm for it, and it is only muddle-headedness and mixed thinking that talks about want of enthusiasm.'

It is somewhat curious that the kindred subject of the National flag, which in other Dominions has only been settled after acute controversy, appears to have gone by default in the Free State. The Sinn Féin tricolour, on the model of all other Republican flags (though no one seemed to know clearly either what the three colours represented, or who had decided their arrangement in the flag), superseded the old green flag of Irish nationalism which had served many generations. In a period of great popular excitement

and tension, the unknown young men who were 'on the run' chose their own flag without anybody knowing clearly what was the source of their inspiration or of their control. It was given official recognition in practice from the first establishment of the Free State, and its adoption has never been seriously challenged at any time since. In April 1926, Mr. Grattan Esmonde, who has specialised in all questions affecting international rights and status in the Dáil, asked whether it was intended to introduce legislation for the purpose of legalising the national flag. Mr. Cosgrave replied that it was not considered necessary to introduce legislation since the national flag had 'already been established for non-maritime purposes by usage.' Mr. Esmonde pressed his point by asking whether the President was aware that Ireland was 'the only nation in Europe which had not legalised its national flag' and urging that Irish citizens could not be expected to 'pay proper respect to a State which refuses to legalise its national flag.' Mr. Johnson at any rate produced a more definite answer by asking, was the President prepared to say what was the national flag? 'What is the other colour,' he asked, 'besides green and white, because it varies, even in Government buildings? Sometimes it is a pale, sickly yellow, and sometimes it is red.' To which Mr. Cosgrave replied laconically, 'The real colours are orange, white and green.'

It was some time, in the nature of things, before the Free State Government was able or willing to assert the rights of those who still regard the Union Jack with unalterable affection. For generations the Union Jack had been a symbol of British domination and misgovernment in Ireland, which the national movement was endeavouring to overthrow; and in the feverish years of Sir Hamar Greenwood's administration the British flag had inevitably become the symbol

of military oppression and of coercion by lawless and violent methods. That the Free State Government should have made full use of whatever symbols of the new independence it possessed was only to be expected; and while the Republicans were denouncing Mr. Cosgrave and his colleagues for having betrayed the national movement by a surrender to Imperialism, it was impossible to expect that the Government would immediately adopt the Union Jack with any enthusiasm. It was a sound instinct, however ridiculous the action may have appeared, that led Mr. Walsh as the new Postmaster-General to paint all the pillar-boxes in the country green instead of the familiar red, and that replaced the British postage stamps with Gaelic designs, however crude they may have been. And although the Free State declined to take part in the Wembley Exhibition—where the Free State tricolour flew among the other flags around the Stadium when the King came to declare it open—it was no lack of good will on the part of the Government, but preoccupations with political troubles at first and the impossibility of making adequate arrangements for a suitably ambitious participation at Wembley, that compelled the Government to miss what its commercial advisers have regarded as a magnificent and unique opportunity for the promotion of Irish trade.

In more recent years the question of the Union Jack has been much less difficult, as the Government had gained confidence in the face of its critics at home, and as a real appreciation of the advantages inherent in the Imperial connection has developed. The ex-servicemen from the Irish regiments have done most to insist upon the rights of the old allegiance, and to assert their own contribution towards the common-sense of the people as a whole. General Hickie and General Sir Bryan Mahon especially have devoted themselves to organising the ex-soldiers of the

European war and to securing for them an effective representation in the country's public life. Their strength was shown in a dramatic way when General Hickie, standing as their representative for the elections to the Senate in 1925, was returned at the head of the poll in an election where the whole country formed one constituency. And at the annual celebrations on Armistice Day the immense and impressive rally of ex-service men has each year attracted wider sympathy; while the sale of the red poppies for the benefit of Irish ex-service men has increased every year. On such occasions the Union Jack has always been carried and has been displayed in many houses in Dublin and Cork and other important centres; and, whereas there were a good many unpleasant incidents at first, they have been severely repressed by the Government, and in the last few years they have been very few.

Once again in 1927, Mr. de Valera and his friends have issued their usual protests around Armistice Day, against what they describe as the revival of Imperialism and the exploitation of religious ceremonies for party purposes. On such occasions it is inevitable that a small minority will always take advantage of the opportunity for a provocative demonstration of their feelings; and those who have done so have injured their own interests and have added to the embarrassments of the Government. But it may be said unreservedly that in general the Armistice Day celebrations have each year revealed an increasing sympathy with the ex-service men; and that the same genuine affection for the British Army which on the outbreak of war led the Dublin crowds to give an ovation to the King's Own Scottish Borderers as they embarked for the front, within only a few days of the tragic episode at Bachelor's Walk, has once again asserted itself. Mr. Cosgrave's feelings

on the matter were shown at the last Imperial Conference when he declined the invitation to attend the ceremony at the Cenotaph, in a letter to the Prime Minister which was widely misunderstood. He explained that having himself taken part in the Dublin rising in 1916, which had been generally regarded as an act of hostility to the British troops in France, he felt that his own attendance at the Cenotaph would be out of place. But he wished the Irish Free State to be represented at the ceremony in commemoration of the Irish soldiers who fell in the war, and as a token of its allegiance to the common interests of all the Dominions; and so he sent Kevin O'Higgins as his deputy, pointing out that Mr. O'Higgins had no part in the rising of 1916, and that one of his brothers had been killed while serving under the British flag in the war.

CHAPTER V

THE GOVERNOR-GENERAL

Mr. Healy's appointment—His special qualifications—An Indiscretion—Tribute from the Labour Party—Views of other deputies—The Free State's claim to nominate his successor—Criticism of his allowances—The Government's intentions—Mr. Healy's successor.

More definitely and effectively than in any other matter, the Free State has created precedents affecting the relations between the Imperial Government and all the Dominions in the question of the Governor-General. The Treaty had stipulated that 'the representative of the Crown in Ireland shall be appointed in like manner as the Governor-General of Canada and in accordance with the practice observed in the making of such appointments'; but the Irish Government lost no time in pressing for a definite voice in the appointment. It is well known that the Imperial Government had contemplated the appointment of a distinguished peer to be the first Governor-General of the Free State; but the Irish leaders immediately pressed their views on His Majesty's Government. They not only pointed out that the special conditions arising from the Irish settlement demanded a generous spirit of concession to popular sentiment, but they claimed the definite right to be consulted in regard to the appointment. It was not that they were particularly determined to have Mr. T. M. Healy as the official head of the State; but, once they had gained their point in the matter, his most exceptional qualifica-

tions for the position were quickly recognised. Mr. Healy's long experience of Irish public life, his personal prestige (rather than popularity), his active sympathy with the Sinn Féin movement in recent years, his personal activities as a peace-maker in assisting towards a settlement, and the fact that he was a singularly typical representative of the traditions of Nationalist and Catholic Ireland, his quiet natural shrewdness and ability and courage—all gave him special qualifications which were reinforced by the fact that he was well known and generally respected in the official world of London. The Imperial Government, with admirable tact and prudence, agreed to his appointment at the explicit request of the Irish leaders, and the decision has been magnificently justified by its results.

In the early years when the sudden death of Arthur Griffith and Michael Collins had left the Free State without any well known and experienced leaders, Mr. Healy's presence in the Viceregal Lodge was a factor of incalculable assistance to the establishment of security and order. He became much more the adviser of the Free State Government, by virtue of his personal experience and abilities, than the representative of the British Government in Dublin; and certainly no other appointment could have placed such a combination of authority and knowledge and brilliant personal gifts at the disposal of the new State in its most difficult period. Again and again in those early years the wise counsels, the intense patriotic sense, and the sympathetic and unstinted guidance that were given by Mr. Healy, lent a moral support and a real practical assistance to the young men who were establishing the new State—which cannot be praised too highly and which will probably never be estimated at their full value. Mr. Healy's personal influence moreover extended in both directions. He became the Ambassador of the Free State in London

during his frequent journeys to and fro; while in dealing with the chaotic political conditions during and after the civil war he had a wider knowledge and a sounder judgement of the Irish people than any member of the Free State Cabinet. In other ways also his services were of immense importance. It was probably not realised by the Imperial Government when it agreed to his becoming Governor-General, that Mr. Healy himself had an intense personal loyalty and devotion to the royal family and its traditions, such as is scarcely to be found outside of the generation in Ireland to which he belonged; and the same attitude of chivalrous devotion to the royal family was shared by the Sullivan family who were connected with him and with his brother by marriage. Those who have read the brilliant history of 'New Ireland' by his uncle, the late A. M. Sullivan, K.C.—one of Parnell's early colleagues in the House of Commons—will remember how strong was that influence upon his attitude towards the whole Irish question, just as a similar sense of personal loyalty to the Throne had always had a profound influence upon Daniel O'Connell.

In another respect also Mr. Healy's family relationships were to have a direct effect upon the formation of the Free State. His sister-in-law was the mother of Kevin O'Higgins, and in the rapid development of that brilliant young politician, Mr. Healy's personal influence played a very considerable part. Friction undoubtedly grew between them when Kevin O'Higgins had gained greater self-confidence and experience of public life, and he became inclined to resent the kindly-intended criticisms or suggestions that were made by Mr. Healy in the later years of his very brief career. Their respective positions involved a certain conflict of views; for as a leading member of the Executive Council, O'Higgins had to adopt at times an attitude of resistance to anything that seemed

like interference by the Governor-General. But it is impossible to deny the very decisive influence upon the formation of the young statesman's character that was exercised by Mr. Healy during the years of his apprenticeship in public life.

There was only one serious ground for criticism against the appointment of Mr. Healy as Governor-General—that he had been for so many years until the war, the most bitter and least controllable of partisans in Irish public life. He had mellowed with advancing age, but few people could have believed that this stormy petrel of Irish politics would in the later phase of his public career develop such an attitude of universal charitableness and moderation as he has in fact displayed. From being the most extreme and most relentless of party politicians, Mr. Healy before long became the impartial friend and counsellor of many parties; and the Viceregal Lodge since his occupation of it has become a recognised meeting place for many discussions and negotiations that have been designed to promote peace. Only once did Mr. Healy allow himself to indulge in a political speech before his retirement. It was on an informal occasion, when he was called upon to address the Dublin Chamber of Commerce at its annual banquet on November 6th, 1926. The Executive Council, which normally is asked to approve the text of any of his important speeches, was not consulted, and Mr. Healy evidently spoke extempore and in momentary forgetfulness of his official position. The speech was reported in the Dublin newspapers and immediately produced a debate in the Dáil as to whether such interventions on the part of the Governor-General were legitimate. The Executive Council requested an explanation and was informed that the newspaper report was incorrect; but the report, which was produced at the debate in the Dáil ten days

afterwards, quoted him as having spoken in the following terms :

'Mr. Barry also referred to the courage and competence of Ministers, and I should like, being independent in the matter, because I hold office during the pleasure of His Majesty the King—I am not standing for any constituency. I do not even desire to be a member of the Senate—I should like to say that you have in these men as determined, as patriotic, as useful men as any country is likely to obtain.

'I believe that in a year's time there is to be a General Election and, of course, on the eve of a General Election the opposition makes tremendous promises. That is all right in England, where you have successive Governments coming into power, each with a programme ; but there is no practical Opposition in this country, and I should like to know on what grounds the members of the Government are being told that if a number of persons, whom we never heard of before, except in connection with explosions and assassinations, were put into power, they would have a regular transformation scene, and that this country would enter upon a terrestrial paradise, without even the presence of the serpent. Some of these so-called extremists talk about what is called principle, and I should like to give my opinion—it may be a very daring opinion—that outside religious subjects and beliefs, there is no such thing as principle. There are only matters of opinion. To these gentlemen who say that they will not enter into the legislature of their country because their principle forbids them to take the oath to His Majesty, I would say, in the words of Gilbert and Sullivan : "You are curious optimists ; you would never be missed." They are quite welcome to stay out, and the further out they stay the better some of us will be pleased.'

Mr. Thomas Johnson as leader of the Opposition raised the matter at the earliest opportunity in the Dáil, as affecting the whole position of the Governor-General in respect to deputies. The debate obviously raised a very important issue, and it also produced most remarkable tributes to the spirit and the ability with which Mr. Healy had fulfilled his duties. Mr.

Johnson described the speech as being that of a political partisan, uttered by one who was required by his office to stand apart from political controversy; and he insisted upon the importance of clear ideas as to how the Dáil stood in relation to the Governor-General, declaring his own belief that it was incumbent upon the Government to express open disapproval of the Governor-General's action in this case. He went on to say that he believed that everyone who had studied modern Irish political history 'had watched with admiration the internal struggle between the State official and the fighting politician in Mr. Healy. It had required the exercise of great self-restraint for him to deny himself the joy of wielding the tomahawk. He thought that the Imperial Official had succeeded in subduing the partisan, but this incident could not be passed over lightly.' The Dáil, he considered, ought not to allow to pass without strenuous protest a constitutional impropriety which, if condoned, would imply a willingness to accept as nominal head of the State a political partisan responsible to no one in the country for his actions, but free to use his privileged position to promote certain political ends.

Mr. Cosgrave, in replying, regretted the necessity for any reference in the Dáil to a speech by the Governor-General, and explained that the speech in question had not been made on the advice of the Executive Council and they could not accept any responsibility for it. The office of Governor-General was, he pointed out, in essence of a non-partisan character, and its duties were clearly defined. The persons to advise the Governor-General were set out in the Constitution as the Executive Council; and the Government in office to-day might be in Opposition to-morrow. It was, he said, a matter for regret that such a speech as Mr. Johnson had referred to should have been published. He understood from His Excellency

that it was not a correct report of his speech, and that a full and complete report would not have occasioned any objection. But the Executive Council could not approve of such a speech as was reported.

Mr. Denis Gorey, the leader of the Farmers' Party, declared that the Governor-General had been guilty of a grave indiscretion, and hoped, for the dignity of the office, that it would not be repeated. Professor Magennis, one of the deputies for the National University, thought they should be grateful for the happy chance that had afforded this opportunity of declaring their minds upon the Governor-General's intervention. The Governor-General was more than the representative of the Crown in the country; it was incumbent that whoever filled the office should not refer to English politics, that he should not go out of his way to refer to a grave crisis in the affairs of a neighbouring State, any more than that he should meddle with the question of partisan politics in the Free State. He regarded it as an important constitutional question, involving as a collateral issue the whole position of the Saorstát in the Commonwealth of Nations. And Professor Thrift, one of the former Southern Unionists representing Dublin University, was glad that the issue had been brought forward as a constitutional question of grave importance, and at the disclaimer given by the President. Speaking as one who had formerly held views opposed to the majority of deputies, he wished to record his own feeling that, just as it would be almost unthinkable for the King of England to take part in any way in party politics, so he trusted it would be equally unthinkable in the future that the Governor-General should not be entirely above the plane of party politics.

That incident, needless to say, was quickly forgotten, and it provoked no serious ill-feeling, as the debate in the Dáil clearly showed. But it had revealed the

sensitiveness of the Dáil to any open interference by the Governor-General with Irish politics. The Government was certainly not sorry that the question had been raised, for it has adopted a very decided line in regard to its own official relations with the Governor-General. Mr. Blythe, the Minister for Finance, claimed openly in a very significant statement in the Dáil that the Free State had definitely established its own right to choose who the Governor-General should be. The question has a wide importance in view of the resentment that was felt in Canada in 1926, when Lord Byng refused to dissolve the Canadian Parliament, in special circumstances, after the Prime Minister had formally requested him to do so; and this whole question of the King's representative in the Dominions was among the matters that arose in the last Imperial Conference. Several of the other Dominions, where the sense of Dominion independence is strong, and particularly Canada and South Africa, have already demanded the same rights that have been conceded to the Free State in the matter. Mr. Blythe's claim involved important subsidiary consequences; for, while taking it for granted that all future Governors-General would be appointed at the choice of the Free State itself, he pointed out the necessity for avoiding any lavish expenditure upon entertaining. The adoption of such a scale of expenditure would restrict all future appointments to men of very large private means, and the number of rich men who are citizens of the Free State is very few. Article 60 of the Constitution prescribes that the Governor-General's salary 'shall be of like amount as that now payable to the Governor-General of the Commonwealth of Australia and shall be charged to the public funds of the Irish Free State, and suitable provision shall be made out of those funds for the maintenance of his official residence and establish-

ment.' No question of reducing his salary therefore is likely to arise; but the amount of expenditure upon his residence and establishment has already been made the subject of an important debate in the Dáil, and the Government is definitely committed to transferring his successor to a smaller residence than the Viceregal Lodge.

Mr. Blythe, in moving the vote for the Governor-General's establishment in June 1926, stated that the Government held the view that future Governors-General should have their residence in what was formerly the Chief Secretary's Lodge, instead of the Viceregal Lodge, which was a larger house and more costly to maintain. 'I can say very definitely,' he said, 'that that is the policy of the Government, and I assume that it will be carried out by whatever Government is in existence when a change takes place. But we do not feel that we could or should make a change at present.' The present Governor-General, he explained, had been anxious not to live in the Viceregal Lodge. They had urged him, and almost obliged him, to take up his residence there, and they did not feel it would be right or fitting that he should be evicted now and put into another house. Mr. Blythe explained that he had never wished to take the line that they should, as it were, attack the office of the Governor-General by refusing a reasonable amount for the establishment. He thought there would be no national gain thereby. They would offend susceptibilities that it would not benefit them to offend.

'I think,' he continued in a very significant speech, 'we can take it that we have definitely established a new thing in the British Commonwealth of Nations; we have got one of our own citizens, one of our own people, as Governor-General. I regard that as a very definite step forward which we should not recede from. I certainly do not take the view that

the Governor-General is in any way the representative of a foreign Power. He represents one of the elements of the Oireachtas. He stands here as a representative of the Crown, but the Governor-General cannot be appointed without the assent of the Government of Saorstát Eireann. The Governor-General will, in future, as I say, so far as Saorstát Eireann is concerned, be one of the citizens of the State, and the office may serve a very practical utility in the future.'

He shared the Leader of the Opposition's disapproval of lavish displays or lavish entertainment. He did not want people to adopt a line that was supposed to be characteristic of Ireland a century ago. On the other hand, he thought a dignified establishment was necessary. It would serve, perhaps, without any lavishness, to keep some of their citizens from turning their eyes elsewhere; and the holder of the office, being outside the political arena, might, if there was great stress in the future, provide a centre where people who were very much in conflict might come together. In any case, he thought it a narrow and short-sighted view to attempt unduly to reduce the dignity of the office. The people who simply thought the Governor-General was somebody with whom they had no concern, and who might be made the mark for all shafts of attack, were not looking at the thing with a great deal of vision.

Mr. Johnson, however, moved to reduce the vote by £3,000. He thought it was not a good tendency to encourage a social circle round an officer of State on the assumption that the present figures were going to set a standard. Everything that had happened, he argued—the salaries of Ministers and the Civil Servants, all showed that it would not have been their choice to pay the Governor-General a salary of £10,000, plus establishment expenses on this level. They had been obliged to fix the sum of £10,000 by

their Constitution and Treaty, but they were only bound to make suitable provision for residence and establishment. He considered the addition of £6,000 for establishment expenses excessive, and that the burden of keeping the establishment should be shared by the Governor-General out of his salary. And Mr. D. Morrissey, who has since succeeded Mr. Johnson as one of the Labour Party leaders in the Dáil, thought the Vote was out of all proportion to the capacity of the country to pay.

Professor Magennis, of the National University, on the other hand, who was the spokesman of advanced Nationalist views while he was in the Dáil, regarded the attack on expenditure under this vote as a popular stunt. He felt that there was very little use in kicking against the pricks. They had made the bargain to pay this salary under the Treaty. The provision of an establishment for the Governor-General was one part of the price for such a measure of liberty as they had secured under the Treaty. They did not like it; not even the Ministers liked it. They knew very well that if those who framed the Treaty settlement had their own way, this would not have been one of its terms. His own view was that the President of the Executive Council should be a much more important figure than the Governor-General, and that it should be part of every nationalist policy to heighten by every means the status and the dignity of the head of the Executive Council.

When Mr. J. Good, one of the Business Party spokesmen, insisted that the office ought to be maintained, with proper dignity, in such a way as to make a favourable impression on visitors from other countries, Mr. Blythe pointed out the danger of making it impossible for any but a rich man to become Governor-General. If, he argued, they got to the position where in practice they were confined to rich men, he did not

think they could be at all sure of having the office filled in future by citizens of the Free State. He pointed out that the present salary was subject to Income and Super tax, and there were many incidental expenses. 'We undertook in our Treaty,' he declared, 'to pay the Governor-General a salary equivalent to the salary paid to the Governor-General in Australia, and we undertook to maintain a suitable establishment having regard to the duties that fall to the Governor-General. I do not think that we are doing more than that. In so far as we are incurring undue cost, it is really simply that we have the Governor-General installed in an expensive house, and I believe that in these national bargains you must keep faith in the spirit of the agreement as in the letter.'

Other speakers showed what a rapid change had come over the original attitude of resentment against having a Governor-General of the Free State. In view of the lack of rich men in the country who could be counted upon to afford suitable entertainment to distinguished visitors, it was urged very strongly that the Governor-General's residence had become the recognised place for giving hospitality to people from other countries who might otherwise gather a mean impression of the country.

Mr. Healy's term of office—if the precedent of Canada was to be strictly observed—expired on December 6th, 1927; and the Government, which had been too much preoccupied with two general elections to attend to the matter before, decided belatedly that the precedent should be followed. Mr. Blythe's speeches which have been quoted in this chapter indicate the considerations which decided the Government in the selection of his successor. For political, as well as personal, reasons they could not have made a more suitable choice than Mr. James MacNeill, who has now replaced him. A long and

distinguished career in the Indian Civil Service had fitted Mr. MacNeill to fill very high positions; and after his retirement from India, shortly before the outbreak of the Great War, he had devoted himself to many causes connected with economic and political development in Ireland. He had become chairman of the Dublin County Council during Sir Hamar Greenwood's coercive regime, and he was appointed chairman of the new Government's Commission on Agriculture after the Free State was established. He relinquished the chairmanship of the Commission very soon afterwards, on his appointment to be the first High Commissioner of the Free State in London; and four years in London in that capacity made him familiar with many official duties connected with Imperial questions. But he had always remained conspicuously Irish in his point of view; so that when he was asked by an interviewer whether he would receive a ceremonial reception on his arrival in Dublin,[1] he replied at once that he was simply an Irishman going home to his own family and friends, and that no ceremony would be needed.

The appointment was specially significant because it was made under the new conditions which had been arranged at the Imperial Conference of 1926; and Mr. Blythe made an important statement on the day his appointment was announced. Mr. Blythe explained, in an interview with the Press, that the Governor-General had previously been appointed on the advice of the British Government; but as Dominion status had grown, the Governors-General became the representatives of the King and not of the British Government. 'At the Imperial Conference of

[1] The reports published in the newspapers of a plot to assassinate Mr. MacNeill on his journey to Ireland were absurd. Only the usual precautions that are always taken on such journeys were taken by the Irish police and Scotland Yard.

1926,' he said, ' it was felt that a declaration as to the existing position was timely. It was accordingly placed on record that the Governor-General holds in all essential respects the same position in relation to the administration of public affairs in a Dominion as is held by His Majesty the King in Great Britain ; and that he is not the representative or agent of His Majesty's Government in Great Britain, or of any Department of that Government. The Governor-General has ceased to be the channel of communication between the Free State and the British Government since May last, and in Canada and South Africa the new arrangement is in force since July. The appointment of Governor-General is entirely a matter for the Dominion Government concerned and he is appointed by the King on the advice of that Government.'

CHAPTER VI

APPEALS TO THE PRIVY COUNCIL

A test case—The Government asserts supremacy of the Irish Courts—Lord Haldane's views—The South African analogy—Unanimity in the Dáil and Senate—Objections to the Government's procedure.

One of the first issues upon which the Free State Government, after it had time to recuperate from the first years of strain, found itself in direct conflict with the Imperial Government arose out of Article 66 of the Constitution. In fulfilment of one of the conditions laid down in the Treaty, the Article declared that 'The decision of the Supreme Court shall in all cases be final and conclusive, and shall not be reviewed or capable of being reviewed by any other Court, Tribunal or Authority whatsoever: Provided that nothing in this Constitution shall impair the right of any person to appeal from the Supreme Court to His Majesty in Council or the right of His Majesty to grant such leave.' On the face of it, there appeared to be no ambiguity about the matter; but a test case arose during 1925, which raised a very large question as to whether the Judicial Committee of the Privy Council had been justified in exercising its right to grant an appeal to itself upon a case which involved no matter of any public importance. The details of the case need not be discussed here; it was a purely private matter arising under the Land Act of 1923 which was heard by the President of the Irish High Court. An appeal was made from his decision to the

Irish Supreme Court, which upheld the judgement given in the High Court. A further appeal was then made to the Judicial Committee of the Privy Council, which decided to grant leave for the appeal.

Naturally the Government took a serious view of the matter, for it opened up the whole question of whether the Supreme Court of the Free State was to be overridden at will by a Court situated outside Ireland. The Government claimed not only that the whole spirit of the Constitution was against such unimportant appeals being allowed, but that definite assurances had been given that the right of appeal, although it was specified without any qualifications in Article 66 of the Constitution, would not be exercised except in very rare cases of real public concern. After full consideration, the Government decided to put the matter to a test in a very unusual way. It brought in a Bill which, as Kevin O'Higgins stated in introducing it, was 'not a Bill for the removal of doubt, but to declare that the law was as stated by the Supreme Court of the State.' It was entitled a Land Bill, and it was admittedly retrospective in its character, with the deliberate purpose of upholding the decision of the Irish Courts in this particular case, and as an open challenge to the Judicial Committee of the Privy Council in interfering with the case. The Minister for Finance explained that he was prepared to pay reasonable compensation for any legal expenses incurred by the person who had appealed; but the Government were determined to prevent such appeals from being allowed; and in the absence of any other apparent means of assisting its attitude in the matter, the Bill was introduced to establish the Supreme legal authority of the Courts.

In the debate which took place, Mr. O'Higgins showed how intimately the constitutional practice of the Free State had already become involved with that

of other Dominions; and his exposition of the Government's case relied as much upon precedents in regard to the other Dominions as upon the assertion of the principles of sovereignty and national rights. Quoting Article 66 of the Constitution, he contended that its two clauses contained as definite and emphatic a statement as it was in their power to make that the Supreme Court in that country should be the final authority; and there was inserted also an express preservation of the King's prerogative. It was clearly in that Article, he argued, the desire of the representatives of the citizens of the Free State that its Courts should be the final authority. The only exception to that consisted in something which it was not within their power to alter, the bare reservation of the prerogative of the King. He explained that in discussions which took place at that time with certain British Ministers, including the Lord Chancellor of the day, very definite understandings and definite assurances had been given that that preservation of the prerogative would be very much more a theory than a fact and a practice; that in so far as the practice was concerned, it would be the practice observed in the case of South Africa rather than in the case of certain other Dominions. And the distinction was definitely drawn that the Irish Free State would be a unitary State, like South Africa, and not at all resembling Canada and Australia, where matters of law arising, as between, say, the State of Quebec and the State of Ontario, rather called for some overriding tribunal to give its final decision.

Since the establishment of the Union of South Africa, Mr. O'Higgins explained, there had been admitted to the Judicial Committee of the Privy Council altogether seven or eight cases, none of them cases other than ones raising important issues, affecting large numbers of people, which could scarcely be

termed purely domestic issues. Clear assurances had, he said, been given that the practice would be strictly analogous to the case of South Africa rather than that of non-unitary Dominions. That principle was enunciated by Lord Haldane, in the year 1923, when the first Irish petitions for leave to appeal came before the Judicial Committee of the Privy Council, as follows :

'In Ireland, under the Constitution Act, by Section 66, the prerogative is saved and the prerogative, therefore, exists in Ireland just as it does in Canada, South Africa, India, and right through the Empire, with the single exception that I have mentioned, that it is modified in the case of the Commonwealth of Australia in reference to, but only in reference to, constitutional disputes in Australia. That being so, the Sovereign retains the ancient prerogative of being the supreme Tribunal of Justice. I need not observe that the growth of the Empire and the growth particularly of the Dominions has led to very substantial restriction of the exercise of the prerogative by the Sovereign on the advice of the Judicial Committee. It is obviously proper that the Dominions should more and more dispose of their own cases, and it is only in exceptional cases that the Sovereign is advised to intervene. In other cases the practice which has grown up, or the unwritten usage which has grown up, is that the Judicial Committee is to look closely into the nature of the case, and if, in their Lordships' opinion, the question is one that can be best determined on the spot, then the Sovereign is not, as a rule, advised to intervene . . . unless the case is one involving some great principle or is of some very wide public interest. It is also necessary to keep a certain discretion, because, when you are dealing with the Dominions, you find that they differ very much. For instance, in States that are not unitary States, that is to say, States within themselves, questions may arise between the Central Government and the State which, when an appeal is admitted, give rise very readily to questions which are apparently very small, but which may involve serious consideration, and there leave to appeal is given rather freely. In Canada there are a number of cases in which leave to appeal is granted, because Canada is not a

unitary State, and because it is the desire of Canada itself that the Sovereign should retain the power of exercising his prerogative; but that does not apply to internal disputes not concerned with constitutional questions, but relating to matters of fact. There the rule against giving leave to appeal from the Supreme Court of Canada is strictly observed where no great constitutional question or question of law emerges.

'In the case of South Africa, which is a unitary State, the practice has become very strict. We are not at all disposed to advise the Sovereign unless there is some exceptional question, such as the magnitude of the question of law involved, or if it is a question of public interest in the Dominion to give leave to appeal . . . It becomes with the Dominions more and more or less and less, as they please. We go upon the principles of autonomy on this question of exercising the discretion as to granting leave to appeal . . .

'We now come to Ireland. From what I have said it is obvious that it is not expedient that we should lay down too rigidly to begin with what the principles are. It will grow with the unwritten Constitution. . . . In the olden days the appeal to the House of Lords was as of right, as it is from Northern Ireland to-day, but the appeal to the Privy Council is not as of right. It is an appeal to the King's discretion, and it is founded on a petition that he should exercise his discretion. Well, obviously what is a matter of discretion is a very different thing from what is a matter of right, and, accordingly, when you come from a new Dominion, with full Dominion status like the Irish Free State, it is not by any means as of course, even to begin with, that leave to appeal will be given. On the contrary, the Sovereign may be advised to apply the general principle of restriction to which I have alluded. That being so, we will have to look into these petitions, one by one, and we shall bear in mind that the status of the new Irish Dominion is a status which, although it has been likened to a number of the Dominions in the Treaty Act and in the Treaty, is not strictly analogous to any one of them. For instance, it is not analogous to non-unitary Dominions. Southern Ireland is a unitary Dominion and is analogous therefore to unitary Dominions like South Africa more than it is to non-unitary Dominions like Australia and Canada, that is

from the point of view of justice only, because you will observe, I have said no word to suggest that there is not a complete analogy established by the terms of the Constitution between Ireland and Canada for other purposes.'

Everything in that judgement, declared Kevin O'Higgins, which was said with reference to Section 106 of the South African Act of 1909, applied with full force and effect to Article 66 of the Free State's Constitution. It was not left in doubt, he contended, as to what the attitude and the wish of the representatives of the people in the Free State was, with regard to the finality of the decisions of their own Courts. Anything which followed the provision in that Article was inserted at the request of the British Ministers as an express saving of the prerogative, and having regard to the terms of the Treaty, it was considered that they were entitled to insist on that. But concerning that portion of the Article which represented the Free State outlook and wish in the matter, the decision of the Supreme Court was in all cases to be final and conclusive and was not to be reviewed or be capable of being reviewed by any other court, tribunal, or authority whatsoever. That portion of the Article represented the desire of the people and their representatives, that matters of litigation arising in the Free State would be finally determined by the Supreme Court of the State. Running through the statement of Lord Haldane, through the extract from the judgement in the South African case, it was laid down that the desire of the Dominion itself was a very real factor in determining the attitude of the Judicial Committee in deciding whether or not they would grant leave to appeal in a particular case.

On such issues as this, the Dáil has always shown a remarkable degree of unanimity; and the leaders of every party joined in supporting the Government in regarding the issue as one of great national importance.

Mr. Johnson, for the Labour Party, considered it 'one of the most important questions that could be raised in the Dáil; since it seemed to raise the question whether the Irish Legislature was to have supreme authority in the State, or whether any citizen of the Free State could appeal from its Courts to a tribunal in London.' General Mulcahy desired that a list should be put before the Dáil of the types of case that were considered sufficiently grave to go before the Privy Council; and Mr. Heffernan, of the Farmers' Party, expressed his dislike of any survival of the King's prerogative in overriding the decisions of the Supreme Court. Encouraged by these opinions, Mr. O'Higgins declared on the second reading that the Government also was opposed to any survival of the King's prerogative in regard to the Free State. They thought it ought to be allowed to lapse by non-user, just as other prerogatives had lapsed. It ought to be allowed to go the way of the Veto. They could see no case for the continuance of the appeal, which dated back to the days when the Parliament and Government of Great Britain purported to exercise a real control and a real authority over the Dominions. The prerogative of the Sovereign was, he argued, no more than a constitutional fiction. In fact the Judicial Committee of the Privy Council was a Court of Appeal, and these appeals were in no way personal to the Sovereign. The King had no more real connection with the administration of justice than with the administration of the Post Office.

In introducing the Bill, therefore, the Government was doing all in its power to make a protest against an encroachment upon the sovereignty of the Irish Courts. But it was significant of the vigilance of all parties by this time to the consequences of any parliamentary procedure, that the Government's action—although so strongly approved on principle—was

very generally reprobated for its method. Mr. Johnson, more sensitive than anyone else in the Dáil to constitutional proprieties, held that such procedure involved making the Dáil express an opinion upon the verdict of the Courts, which ought to be entirely independent of parliamentary interference. Captain Redmond similarly deplored the procedure adopted, and urged the Government to amend the Constitution by inserting a clause similar to that which was included in the South African Act stating that ' Parliament may make laws limiting the matters in which such leave may be asked.' In the Senate, disapproval of the Bill for the same reasons was still more strongly expressed. But in neither the Dáil nor the Senate was there any disposition to vote against the Bill, which was intended to affirm a principle upon which agreement was so general ; and it passed all its stages without a division.

Not the least object of the Government, and particularly of Kevin O'Higgins personally, in introducing the Bill had been the desire to raise the issue of these appeals to the Privy Council at the Imperial Conference which was to take place in the autumn. It was hoped that the Bill would arouse sympathy among the other Dominions, and that support would be forthcoming at the Imperial Conference for a definite demand to have all such appeals abolished thenceforward. Considerable support was in fact obtained in advance ; but the Irish delegates encountered an unexpected opposition among the Canadian delegates, whose unqualified support they had counted upon. The French Canadians have always realised that the right of appeal to the Privy Council was a very important guarantee of their own rights in any conflict with other States in the Dominion of Canada ; and they rallied at once against any proposal which would deprive them of the constitutional safeguard, while the Australian and New Zealand delegates

expressed their usual affection for any direct link between their own Dominions and the Imperial Government.[1]

[1] A further issue concerning the rights of the Privy Council has been raised in the House of Commons in February 1928, and is undecided at the time of writing. In this case, the Irish Government definitely invited the Judicial Committee of the Privy Council to declare its opinion on a matter affecting the rights of civil servants and others who retired under the terms of the Treaty. But an agreement was subsequently made between the Treasuries in Dublin and in London which conflicts with the decision of the Privy Council, and also modifies rights which, it is claimed, were granted by Act of Parliament when the Free State was established. Lord Carson and others are to raise the question in the Imperial Parliament, challenging the attitude adopted by Mr. Amery, who supports the attitude of the Irish Government.

CHAPTER VII

EXTERNAL RELATIONS

Admission to the League of Nations—Representation in foreign capitals—Consular and trade offices—Mr. Johnson and the League of Nations—The Locarno Treaty—A protest at Geneva—Diplomatic unity of the Empire denied—Obligations in case of war—Reality of membership of the League—Military and naval aspects—Free State's claim to decide separately—The Court of International Justice—Ambiguity of Free State's position—Mr. Fitzgerald's claim that the Free State has done most to develop Dominion status—Irish passports.

ALTHOUGH the subject has been of very small interest to most people in the Free State, external relations have been discussed on many occasions at great length in the Dáil; and the vigorous pressure which has constantly been exercised upon the Government to insist upon the fullest implications of Dominion independence in regard to relations with other countries, has, in fact, induced the Government to adopt an attitude which has established precedents affecting all the Dominions. It was not the Free State, however, that first obtained separate representation for the Dominions in the League of Nations. That momentous decision was taken, almost without previous discussion or consideration, as the result of a direct demand by the Dominion representatives at the Treaty-making of Versailles. And the fact that the Dominions possessed this right to separate representation was undoubtedly one of the strongest arguments that prevailed upon Griffith and Collins

and the other signatories of the Treaty to accept Dominion status as a satisfaction of the Irish nationalist claims. That the Free State should apply for admission to the League at the first possible opportunity was a natural sequel to its establishment; and in September 1923, its application for membership was formally granted, and the Irish delegates were introduced to the Assembly of the League in Geneva.

In the first excitement of the new regime, and in order to demonstrate the practical recognition of the Free State's new international status, Irish official representatives were appointed to various capitals abroad. But the natural limitations of their usefulness were soon apparent; and the necessity for retrenching expenditure soon led to the withdrawal of several of the more important officials who had been appointed, leaving a minimum of representation, chiefly for consular purposes, in Washington, Paris, Geneva, Berlin, and Brussels, in addition to the office of the High Commissioner in London. Except for Washington and Geneva, none of the other capitals afforded any real scope for diplomatic representation, beyond the possibility of occasional attendance at congresses or other public functions; and the finances of the Free State were by no means able to afford the luxury of such representation on a suitable scale. In Washington, Professor Smiddy, a very capable economist from University College, Cork, has performed his duties with admirable discretion and competence. At Geneva, Mr. MacWhite, an ex-officer of the French Foreign Legion with a most exceptional talent for diplomatic activities, has been an invaluable agent for the Free State in all its work in connection with the various departments of the League of Nations. And in London the office of the High Commissioner has developed under the shrewd and tactful direction of Mr. James MacNeill, who has since replaced Mr.

Healy as Governor-General, into an extremely useful and valuable department of the Government.

The chief routine work of all these Irish offices outside of Ireland is mainly of a consular character. In London particularly, the Trade Commissioner's department has been able to give immense assistance to the Government in Dublin in promoting Irish trade and in protecting the interests of Irish traders—and particularly since the Free State was fortunate enough at the end of 1926 to secure the services of Mr. J. W. Dulanty, C.B., who had risen with extraordinary rapidity in the Civil Service until he was appointed one of the Assistant Secretaries to the Treasury in Whitehall. But apart from the consular and commercial activities of the High Commissioner's Office, Mr. MacNeill himself has been a most admirable representative of the Free State, whose quiet and unostentatious diplomacy has won him friends among all classes in London and has contributed greatly to the enhanced prestige of all the Dominion High Commissioners in London. They have during his time of office received official recognition in a rank that is now virtually equal to that of the Ambassadors of the Great Powers, sharing all their diplomatic privileges and immunities in London ; while in many respects their influence is greater than that of the Ambassadors.

But while the representation of the Free State abroad has thus quietly developed on less ambitious, but more effective lines, and while the claims of the Free State to issue its own passports and take full advantage of its position as a member of the League of Nations have been freely and unequivocally recognised by the Imperial Government, the attitude of the Irish Government towards its external relations has been jealously watched in the Dáil by several important critics. The vigilant criticism of more or

less unattached deputies like Mr. Grattan Esmonde and Professor Magennis is of importance chiefly as a reflection of the extreme nationalist views of the Republican Party outside the Dáil, which they shared to a considerable extent. Mr. Johnson's criticism as Leader of the Opposition was also more a personal matter than the expression of any very strong views on the subject held by the Labour Party. Mr. Johnson's whole attitude towards politics is that of an English pacifist trained in trade unionism, and his views on the Free State's responsibilities and rights in international questions have been strongly tinged with this personal bias. He has always regarded the Free State's vote in the League of Nations as a vote that must be used to promote pacifist causes ; and he has very cleverly exploited the nationalist feelings of the Dáil to further the causes in which he personally was mainly interested. And for a long time his skilful manipulation of nationalist suspicions and desires induced the Government to be more active in pressing such matters than they might otherwise have been. But of late—until the present Dáil was elected—the Government has shown a decided tendency to reduce the importance of the Ministry of External Affairs. In all vital negotiations that have taken place between the Irish and the Imperial Governments recently, Mr. Cosgrave in person has been the principal negotiator ; and in the nature of things such an arrangement must be expected. The ill-health of Mr. Fitzgerald has contributed to a diminution of his own Ministry ; and the personal qualities of Kevin O'Higgins always eclipsed his own participation in international gatherings, whether at Geneva or in the Imperial Conference. So it was no surprise when, in the fifth Dáil, Mr. Cosgrave decided to place the Ministry of External Affairs under the control of Kevin O'Higgins in addition to his office as Minister for Justice ; and in the

present Dáil, the Ministry has been similarly entrusted to the Minister for Industry and Commerce, Mr. MacGilligan, while Mr. Fitzgerald has become Minister for Defence instead.

In the fourth Dáil, however, there were many debates and questions on the subject of external relations, and the attitude adopted by the Government in them must be noted. In February 1926, after the Locarno Treaty, Mr. Johnson moved a formal resolution requesting that the Dáil should be kept more fully informed by the Minister responsible as to the important developments in international affairs with which the Free State was or might be concerned. He recalled that when the Free State entered the League of Nations, the President had given his personal pledge that Ireland joined in a solemn covenant to exercise the powers of her sovereign status in promoting the peace, security, happiness, and the economic and cultural well-being of the human race. Within the last two years, Mr. Johnson complained, there had been discussed matters of the utmost importance to the well-being of the human race and to Ireland, but very little information in regard to them had been supplied to the Dáil or the people, as to the policy that was being pressed forward, acceded to, or opposed by their Ministers. Information concerning the Protocol to the Covenant, or the Locarno Treaty, had reached the people chiefly through extracts from the British Press. He thought it was desirable that the Dáil should know exactly what the position was in regard to those Treaties and obligations that had been entered into on behalf of the country. There had, he said, been obligations other than those implied in the Covenant of the League of Nations. The very nature of the Locarno Treaty contemplated some possibility of war, perhaps between Britain, France and Germany, in which those countries

might be involved. To what extent, he asked, was the Free State involved?

It had been made public, again through the Press, not through the Dáil, that the terms of those Treaties specifically stated that the Irish Free State and other British Dominions, or to be more correct, the Irish Free State and the British Dominions, were not parties to the Agreement except by their express consent, but that did not leave them entirely free and unconcerned. He considered it an occasion for the Minister to raise, with the other countries and the League, or with those countries through the League, a third question of the responsibility, or the freedom from responsibility, of any warlike action in the case of a war in which Britain was involved over a Treaty to which they were not parties. If it was expressly implied in those Locarno Treaties that they were not involved, except through their express consent, there was the implication that France, Germany, and any other country that might become involved had no right to consider and must not be allowed to consider that the Irish Free State, merely by virtue of the fact that it was a component part of the British Association of Nations, was to become a party to a war in which Britain was engaged. That obviously raised a question of the utmost importance.

Mr. Johnson recalled that in the discussion which took place in the last Assembly of the League, that very important question had arisen, and he congratulated Mr. O'Higgins on having made comparatively clear the position of the Free State. The representative of the British Government had made a statement in regard to proposals for arbitration when disputes possibly involving war arose. Sir Cecil Hurst, the British representative, had said among other things:

'Other States might well be in a position to accept so extreme an obligation as to pledge themselves in all cases to

refer their legal disputes to the Court of the Hague, even though they might affect the vital interests of their country, but the British Empire at the present moment was a very composite and peculiar political unit. It did not consist of one Government alone; it consisted of a partnership of six nations standing on a footing of equality. In a matter which affected the vital interests not only of Great Britain but of any one of these six partners, there had to be solidarity of action. In a matter which affected either the vital interests, the independence or honour of any one of the six nations, there must of necessity be unity of action.'

Mr. Johnson showed that Kevin O'Higgins, in reply to that statement, had pointed out to the League's Assembly, that Sir Cecil Hurst was not announcing to the Committee the considered attitude of any other Government, or at least was not announcing the considered attitude of all the six Governments towards the principle of compulsory arbitration. So far as the Government of the Irish Free State was concerned, that was not the decision on this important matter at which the Irish Free State arrived.

'It is of very grave importance,' Mr. Johnson insisted, 'that some demur should be entered against the phraseology of the British representative's statement when he speaks of the British Empire being a very composite and peculiar political unit, consisting of a partnership of six nations standing on a footing of equality, and that there must be solidarity of action in any matter which affects the independence or honour of any one of the six. When we entered into the League of Nations we entered into obligations as an independent State. I understand that when the term "British Empire" is used in the discussion at the Assembly, and in all the phraseology of the official documents of that Assembly, it refers to Great Britain, her Dependencies and Crown Colonies, and not to the British Dominions or the Irish Free State. The representative of the British Government speaks in

that statement as though these States, though independent members of the League of Nations, all comprise one political unit for purposes which might involve war. My view is : It is of the utmost importance to their security and to our freedom from liability to attack that the freedom of our citizens should not be involved in a war when the independence or honour of any one of the six Nations is in jeopardy.'

Mr. Johnson asked the Dáil to consider that if Great Britain or any other of the signatories to the League Covenant, who were independent members of the League, followed a policy which led to differences between the League and that country, and that if they were called upon to fulfil their obligations, they might conceivably be obliged to take action of an economic or other kind, according to their obligations, against that country which had flouted the authority of their Covenant with the League. They must not allow that view of what was called the diplomatic unity of the Empire to prevail. Otherwise, the pretence that they were independent members of the League would go for nothing, and one of the American objections to the League would be supported, which said that the British Empire had six votes while they would only have one. If it were assumed that that was a single diplomatic unity and that it had six votes, then there would be no future for the League, and no hope for the possibility of permanent peace, because it would simply mean that the diplomatic unity of six nations was going to have supremacy in any discussions which involved votes.

Another matter which he regarded as being of smaller account, though of great importance, was the discussions with respect to noxious drugs. In that matter the Irish Free State representative, acting, no doubt, on instructions from his Minister, had taken a very strong part in supporting the United States'

view of the course that should be taken, against what happened to be the British view. The action of their representative had been highly appreciated in the United States. It was, undoubtedly, the right action, but the Dáil and the country should have been apprised of the position and should have had some official knowledge of the line of action taken on a matter of moral concern, affecting numbers of the world's population. So it was with all other questions in which, whether they liked it or not, they were concerned, and they were obliged to ask themselves whether, having entered the League, they only entered it with a view to possible protection, or whether they had actually, as was promised by the President, entered into a covenant to exercise powers of Sovereign status in promoting peace, security, and the economic and cultural well-being of the human race. Those undertakings implied responsibility.

Mr. Grattan Esmonde, in supporting Mr. Johnson, delivered an open attack on the Ministry of External Affairs, which, he said, had not justified its existence either to the Dáil or to the country ; and a Department which did not justify its existence should be suppressed, as the country could not afford luxuries of that kind. He drew attention to Article 9 of the Locarno Pact which stated that it imposed no obligations of any kind upon them until they adhered to it. But Article 7 of the Treaty between Ireland and Great Britain laid down that ' the Government of the Irish Free State shall afford to His Majesty's Imperial Forces . . . (*B*) in time of war or of strained relations with a foreign Power such harbour and other facilities as the British Government may require for the purposes of such defence as aforesaid.' Supposing he asked, that Great Britain was involved in strained relations or in a state of war as a result of the Locarno Pact, was it the opinion of the Executive Council that they would be

obliged to give those harbour and other facilities under Article 7 of the Anglo-Irish Treaty, in spite of the fact that Article 9 of the Locarno Pact stated that it imposed no obligations of any kind upon them? They would like to know whether the Government considered that the Locarno Pact superseded the Anglo-Irish Treaty or whether that Treaty, although it came previously, was superior to the provision of the Locarno Pact?

Information, Mr. Esmonde contended, was also needed on other matters of great importance and interest to the country. Numerous Conventions had been signed, some of them on behalf of the Saorstát, at the League of Nations which had never been brought to their notice. For instance, why had the Convention, signed on their behalf, for the suppression of obscene publications, not been ratified? The Government had never informed the Dáil of its policy in that respect. Professor Magennis, criticising from his own standpoint of advanced nationalism, insisted upon the importance of having it clearly defined that the Free State regarded itself as on precisely the same international footing as was claimed by South Africa for South Africa, and by Canada for Canada, in the deliberation preceding the fact of their signing the Treaty of Paris, signing it in their own name, in their own right. He recalled that at the time when the demand was made for membership of the League for the constituents of the British Commonwealth, objection was made that this would be, in effect, to multiply the vote of Great Britain and give her an unfair predominance in the League. 'That objection,' said Professor Magennis, 'was made and enforced with great insistence by Japan amongst other nations, and it was one of the things that made me feel, and feel very strongly, that the reception of the Irish Free State into the League of Nations was of tremendous value and importance,

as indicating and securing our international status, because it indicated that Japan and the other objectors realised that those States which form the elements of the political unit, the British Commonwealth of Nations, were entering in their own right, that they were exercising their own sovereignty, and that they were not committed by their being components of the Commonwealth to endorse and follow, as of necessity, the foreign policy that might be initiated by Great Britain.'

Professor Magennis regarded the Ministry of External Affairs as an exceptionally valuable part of their organisation of government, and no consideration of economy should be pressed so far as to demand its abolition. It ought to be made clear beyond all doubt how the operation of the working of that stipulation in the Treaty was going to affect their safety from a military and naval point of view. That, he held, was surely a matter for negotiation; a task cut out for the Department of External Affairs, and more particularly for the representatives that it sent to the League of Nations. It was quite possible that they might receive some guarantees. It was more than possible that the Dominions, particularly of South Africa and Australia, in their own interests, would stand by them in this. It was of the last importance that they should not be only entitled a Free State, because titular freedom and actual freedom were very different things. If the results, as they worked out in practice, of the stipulation referred to, were that they were necessarily objects of attack for any enemy that was at war with Great Britain or the British Empire, the position would, he considered, become very serious.

General Mulcahy, a former Minister for Defence, and now Minister for Local Government, showed strong sympathy with these apprehensions. From

statements made from time to time by British Ministers, he said, they could not help being suspicious of the possibilities that lay in their particular connection with Great Britain from the point of view of involving them in a war. Very few of their people could go abroad to International Conferences of any kind without having to question here and there a statement of some British representative implying a certain status and certain commitments on their part in regard to British intentions and policy. They had found themselves at Washington regarded by representatives of States with considerable international experience as being in the same position, in regard to England, as one of the States of the United States was in regard to its own country. That misappreciation created serious dangers for them, because when they found themselves on the threshold of being involved in war through British policy, they would know very little of the circumstances that had led up to it. It was most necessary that they should have all information possible on international development. In the matter of possible war for their country, or of possible critical diplomatic relations of any kind, the opinion of a mere Minister could not be of any great help to himself in dealing with it and ought not to be the thing upon which the country would be made to act; but in such circumstances the Minister could only act effectively on the consolidated opinion of the people, and it would be very disastrous to the people and to the Minister himself if he acted on anything else.

In reply to these criticisms and warnings, Mr. Fitzgerald adopted his usual attitude of welcoming any insistence upon the full implications of their international status, while claiming that the Government had successfully insisted upon its rights in practice. Referring to the correction of Sir Cecil Hurst which had been made by Mr. O'Higgins at

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Geneva, he quoted the correction in full as having made clear exactly what their position was. Mr. O'Higgins had said :

'I claim the indulgence of the Committee for a very few moments not with a view to putting forward a proposal for the consideration of its members, but simply for the purpose of guarding against a misapprehension which might easily arise—and which seems in fact to have arisen in certain newspapers—from the speech of Sir Cecil Hurst on Friday last. Portions of that very able and interesting address might be considered to bear the construction that Sir Cecil Hurst was announcing to the Committee the considered attitude not of one Government, but of six, towards the principle of compulsory arbitration and the question of adherence or non-adherence to the optional clause of Article 36 of the Statute of the International Court. I wish to make it clear that so far as the Government of the Irish Free State is concerned that is not the position. My Government has not as yet arrived at a decision on this important matter. Sympathetically inclined to the principle of arbitration, it would wish to give to the question of the practical application of that clause to our special circumstances a closer consideration that has yet been found possible.'

Mr. O'Higgins at Geneva, said Mr. Fitzgerald, had made it perfectly clear that the Irish representatives, and they only, were in a position to speak on behalf of the Irish Government, and that the British representative did not speak on behalf of the Irish Government and the Irish people. They had not participated in Locarno, and therefore they had taken no juridical responsibility, although their geographical position, their association with the British Community of Nations and their economic associations with England made it a matter of interest to them. That statement of the Minister for Justice was reinforced by a statement of the British representative, saying that the case explained by the Minister for Justice was exactly a clear statement of the case and that the British quite agreed with it.

With an outburst of frankness, Mr. Fitzgerald replied to the criticisms by Mr. Johnson, as to whether the Free State would automatically become committed to war if Great Britain was attacked. In the event of a great European war, he said, paper guarantees were actually nothing. He thought the Free State and 'nearly every other country' would be directed in its policy by brute facts. Mr. Johnson replied that this was a cynical view, and professed his own hope that public opinion would 'sustain countries in a rational frame of mind in time of war or crisis,' and that the League would not only help to limit the area of war conflict and the number of States involved, but would help to make it plain to the world that 'neither Ireland, Canada, Australia, nor South Africa were automatically belligerents merely by the fact that Great Britain was a belligerent.' It should be one of the functions of the Department of External Affairs, he argued, to persuade other countries through the League of Nations to accept that position.

On many occasions Mr. Johnson put questions to the Minister for External Affairs on matters connected with the Free State's membership of the League. A typical question was answered by Mr. Cosgrave personally, in the absence of Mr. Fitzgerald. Asked whether the Free State delegates had been instructed to oppose the application of any of the Powers who were demanding a permanent seat on the Council of the League in March 1926, Mr. Cosgrave replied that as the primary object of that Extraordinary Assembly of the League was

'to further consolidate the peace of Europe by the admission of Germany to membership of the League and to a permanent seat on the Council, the Saorstát Delegation has been instructed to oppose the consideration of any claims which would be calculated to prevent the realisation of that object. The Saorstát Delegation will support the view that questions affecting the Constitution of the Council, other

than the admission of Germany to a permanent seat, should be postponed to the September sitting. The delicacy of the situation, however, necessitates that the Delegation, which has the benefit of the presence of the Minister for External Affairs, should be in a position to exercise a certain discretion in the interpretation of these instructions.'

Among many other such questions, Mr. Johnson asked in November 1926, whether any decision had been yet reached as to the adherence of the Free State to the Protocol of the Court of International Justice, and whether it was proposed to consult the Dáil before the Protocol was signed on behalf of the Free State. Mr. Fitzgerald's reply was that 'after further examination of the position with reference to the Court, it was decided that, as the ratification of the late United Kingdom covered the Free State, and that as they could be held to be bound by it, the League should be notified that they wished to be placed on the list of States that had accepted the statute. The League had been informed to this effect in August.' Mr. Johnson immediately wanted to know whether this reply involved an acquiescence by the Free State in commitments entered into on its behalf by other parties; to which Mr. Fitzgerald answered: 'It is merely a request that our name should be put down as adhering to a covenant which we were actually bound by.'

This rather delicate question was dealt with more fully by Mr. Fitzgerald in June, in moving the Vote in aid of expenses of the League of Nations, when he explained the position of the Irish Government in regard to the Court of International Justice. He understood that the American reservations in regard to participation in the World Court had been addressed only to the signatories of the Protocol of the International Court, which was signed before the Irish Free State was established. The Irish Government

had been considering whether they should be deemed as being included in the signature which was affixed in the name of Great Britain and Ireland in 1921. The Government had not actually been invited to the Conference in September, because the League of Nations, while the matter remained in doubt, deemed it safer to regard them as being non-parties to the convention. 'We are entirely sympathetic to the project and the work of the International Court,' said Mr. Fitzgerald. 'The only thing, therefore, that is left otherwise than very clearly in the convention is the fact of there being a doubt as to whether it is necessary for us to take separate steps now or not. As soon as we have that matter cleared up, if we judge that we cannot be regarded as parties to the International Court Convention we shall immediately take steps to affix our signature and become parties to it.'

Mr. Johnson immediately pressed for fuller information on the point, asking: 'Does the Minister accept the position that all conventions which were entered by Great Britain before the Treaty of 1921 have been accepted by the Irish Free State? Are we reckoned to be parties, as an independent State, to these conventions which were entered into by Great Britain before the Irish Free State came into a separate existence? If that is the case with one convention, if it is deemed that we are automatically parties to those conventions, we shall understand the position. But if they require a separate, formal agreement confirming decisions, treaties and conventions which were entered into by Great Britain, then they ought to know how many of these conventions we have formally confirmed.'

Mr. Fitzgerald replied by explaining that 'Conventions can be described as political and technical. This is one of those technical conventions which was dealt with before we came into existence and there may be a doubt as to whether we are bound by it or

not. We could submit a statement to the League of Nations asking them to regard us as a State that wishes to be recorded as bound by it. I think that is what happened with certain technical conventions such as those dealing with the minimum wage in agriculture and workmen's compensation and one other, with regard to the International Court that will come under the head of political conventions. It raises a very serious question, one that I frankly admit I am going to try to avoid making any definite statement on.

'I think if we were to decide that on the whole we were bound by such conventions, in that case we might use the form used in regard to the other conventions, namely, that we wish to be regarded as bound by them. I do not wish to be forced into appearing to beg the question as to whether we are or are not bound by them. If we consider that we are not bound by them so far as the International Court is concerned, we shall not ratify it. If we consider it is doubtful, as in the case of the technical conventions, we will state that we wish to be bound by it, but at this stage I do not wish to make any statement which could be regarded as a decisive statement by me as to whether we are or are not bound by them.'

This explanation by Mr. Fitzgerald, which showed how complicated the position was for the Government, immediately provoked outbursts of criticism from the usual quarters. Mr. Grattan Esmonde described it as an 'amazing statement,' and thought it time that some decision was arrived at as to whether they were members of the Court or not. The Minister's statement, he said, suggested that the Free State had been a member of the Court all along. Mr. Johnson pressed for a definite answer as to whether the Free State, on entering the League of Nations, had automatically taken a liability for these conventions or whether

they were not bound by any conventions reached before they entered the League. He considered that the League ought to know their position and that they ought to be quite clear about it themselves. He thought that the Minister's statement suggested that they were not really independent and had not a definite status in the League. Mr. Fitzgerald did his best to clear up an extremely ambiguous situation in his reply, which claimed that 'as a sovereign entity they had the right to denounce anything that was done in their name in the past.' What had happened was that 'one convention was signed in the name of what was now two; and whether that one convention covered the two or whether it only covered one, and which one, was a very subtle point.'

On the Vote for his own Department in the same week, Mr. Fitzgerald had to face further criticism; and he boldly proclaimed that it had done more than justify its existence.

'I wish to say,' he asserted, 'that during the existence of this Department we have brought more clearly to the nations of the world than has ever been done before what exactly was the status of a country known as a Dominion. The advent of Ireland, from the fact that the Irish nation was known historically and culturally, made known to people abroad, even to a greater extent than did the event of the signature to the Treaty of Versailles, that these nations known as Dominions, were full sovereign States, exercising the full rights of sovereign States in the world. Our general policy in foreign affairs is that Ireland, which has now become an international person, should be a respected international person. With regard to international relations generally, we believe that these should be based on equity. We have only one small voice, but I think that among the nations we have already, and will in the future, use that small voice to good effect.'

In the same debate, the attitude of the Government was also defined in regard to the use of Irish passports,

which had been introduced at an early stage and were regarded as being of great importance in demonstrating the political independence of the Free State. In practice it was found that passport fees produced a considerable revenue in a few of the principal centres abroad; and Mr. Johnson had even urged that passport fees alone would pay the cost of opening an Irish office in Boston as well as in New York. Mr. Grattan Esmonde reproached the Government with not having insisted at all enough upon the importance of Irish passports, and complained that whenever the bearer of an Irish passport in a foreign country did not possess on his passport the visa for going to some other country, he had to go to the British Consul, and that British Consuls refused to recognise the passport issued by the Governor-General of the Saorstát. He asserted further that paid officials of the British Foreign Office, acting as correspondents for foreign newspapers, conducted at the present time propaganda against the financial stability of the Saorstát in foreign countries.

Mr. Fitzgerald agreed that there had been cases where British Consuls had refused their services to Irish nationals, but they could only be asked to assist Irish citizens as an act of courtesy, and such courtesies could not be insisted upon. 'We have no right, that I can see,' he said, 'to demand that a British Consul appointed by the British Government, acting for the British Government, and paid by the British Government, should give services to our citizens. I think the British Government makes a very bad mistake. So far as unity is necessary in the Commonwealth, that unity can only be got by unanimity and unanimity can only be based on lack of friction. I think this courtesy is a courtesy which, in the circumstances, could be expected. It is not a thing that we can claim. It is a thing we think possibly we

might be justified in expecting and in being disappointed at not receiving, but we have no right to claim it.' That, he said, was one of the points that might be cleared up in October at the Imperial Conference.

CHAPTER VIII

THE IMPERIAL CONFERENCE

The Conference of 1923—Cordial reception of Irish delegates—Conference of 1926—Kevin O'Higgins—Elucidation of Dominion status—Obsolete anomalies removed—Immunity from interference—Change in the King's title—Obligations under international treaties—The term 'British Empire'—No obligation without being represented—Absolute co-equality formulated—Mr. Johnson severely critical—Diplomatic and military unity of the Empire—Practical illustrations—Safeguards against implication in war—The extreme nationalist view—'A pronounced step backwards'—The Farmers' Party dissatisfied—Kevin O'Higgins replies—No treaty obligations without consent—Mr. Fitzgerald repudiates diplomatic unity of the Empire.

It was with feelings of considerable reluctance and misgiving that the Irish Ministers came to London in the autumn of 1923, to attend the first meeting of the Imperial Conference at which the Free State was represented; and the participation of the Irish delegates was intended to be little more than that of interested observers who were anxious to commit themselves to nothing and to find their feet in strange surroundings. Mr. Cosgrave came over personally, but as the new Dáil was only just elected, he had sufficient reasons for reducing his personal attendance to a minimum; and he left the work of the Conference chiefly to a few of his lieutenants, while relying upon the legal and economic experts who accompanied him. But the atmosphere was so much more friendly and sympathetic than the Sinn Féin Ministers, who

were only just emerging from the prolonged strain of civil war, had expected, that the participation of the Irish delegates soon became much more active than they had intended before they arrived. The present writer has a vivid recollection of their arrival at the assembly of Prime Ministers and delegates at Downing Street. The narrow street was filled with excited sightseers, and batteries of cameras were lined around the entrance to the Prime Minister's house. Mr. Massey, the veteran Premier of New Zealand, was the first to arrive, a dapper cheerful little man emerging from a large blue car which carried the flag of his Dominion. The others soon followed in quick succession ; the police clearing a way for the luxurious motor cars that brought well-known figures to the door, where they stood for a moment and smiled at the photographers of the news agencies before going up the steps of the house. The Indian delegates arrived in magnificent oriental costumes, with picturesque and martial-looking footmen in turbans riding beside the chauffeurs. But the crowd seemed to be full of curiosity above all about the Irish delegates, who were making their first public appearance in Downing Street since the exciting days when the Treaty was signed after protracted negotiations in which the issue of peace or war had hung in the balance for so long.

None of the familiar figures of those so recent days were to be recognised among the Irish delegates who were due to arrive. Griffith and Collins were both dead. Mr. Duggan, never a conspicuous figure in politics, had relapsed into the background, taking very little active part in Irish public life. Robert Barton had repudiated his own signature of the Treaty, and disappeared into complete obscurity on his estate in Wicklow ; George Gavan Duffy, after being the cause of much friction and weakness in the Cabinet, had retired as well. The Irish delegates to this first

Imperial Conference, which was to include the Free State, were all new men. Mr. Cosgrave was virtually unknown in London. And, whatever the reason was, the crowd in Downing Street that morning certainly seemed to be interested in no one else. Time after time, as the crowd surged back, and one saw a big car pushing its way slowly up the street, the excited question 'Is this they?' was murmured all round. Then at last they came. Two battered-looking taxis pulled up hurriedly at the Prime Minister's door; a group of unfamiliar figures in ordinary clothes and soft hats or bowlers jumped quickly out; and, brushing aside all the appeals of the newspaper photographers to them to pose for a moment and look round, they had disappeared into the Prime Minister's house almost before they had been seen. Their refusal to be photographed was merely the result of nervousness; it was their first appearance at a function of the kind in London, and they did not know what the others who had arrived before them had done. But they were greeted with a real outburst of enthusiastic cheering, such as none of the other delegates received.

That first meeting in the morning was scarcely over when they already began to feel more confident. General Smuts, by far the most popular and the most influential of the Dominion delegates, made it his special concern to show them every mark of friendship. His opening speech at the Conference greeted them with a warmth of feeling that was shown to no one else; and his first engagement after the Conference opened was to lunch in public at his hotel with Mr. Cosgrave and his Minister for External Affairs, Mr. Desmond Fitzgerald. By the time the Conference ended, the Irish delegates had not only come to feel that their opinions and their interests were of vital importance to the whole Conference, but that they could gain many more points than they had anticipated

by speaking in all candour as equals among the rest. They had left a definite mark upon the Conference itself, and carried the Imperial Government a very considerable distance towards conceding the full implications of Dominion independence all round. And when, three years later, the next Imperial Conference was held, Mr. Cosgrave was greeted in the chairman's opening speech as one of the few survivors of earlier Conferences; while most of the previously conspicuous figures had disappeared in the political transformations that had taken place everywhere in the meantime. In the Free State also there had been big changes and a development of new forces; and the brilliant gifts of Kevin O'Higgins, developed by strenuous years of experience in statecraft, and available now for larger problems than was possible in the beginning, were to make a most profound impression upon the Conference. O'Higgins had become perhaps the most vital and the ablest figure among all the assembled political leaders of the Dominions; and his personal activity and decided ideas concerning the lines upon which Dominion rights ought to be developed, set the pace, to a great extent, for the spokesmen of the other Dominions.

When the Conference had concluded, Kevin O'Higgins had come to play so important a part in the work of the Irish delegation that it was he, rather than the Minister for External Affairs, who was regarded in the Dáil as the exponent of the Government's views. But it was Mr. Fitzgerald who presented a formal report to the Dáil upon the work of the Conference, in a debate which contained many important statements. His speech showed plainly that the Government wished to disarm all criticism on the ground that it had relinquished any of the rights inherent in Dominion status; and the debate showed the Government striving to prove that its

work in London had secured a clearer and fuller definition of Dominion status than ever before; while the Opposition contended, on the contrary, that the Government had agreed to measures of co-operation with the British Empire as a whole, which could not fail to diminish the political freedom of the Free State in certain contingencies. Mr. Fitzgerald began by insisting that the Imperial Conference as such had no definite powers, and that it was no more than a consultation among the leaders of the various Dominions. He pointed out that the Conference had none of the attributes of a supreme federal council, but was simply a meeting of representatives of the independent Governments of the Commonwealth, to formulate certain conclusions the acceptance or rejection of which depended on the will of the Governments. These conclusions did not essentially affect the status of members of the Commonwealth, which was based, in its broader aspects, on the fundamental and now completely accepted constitutional principle of absolute co-equality. The conclusions of the Inter-Imperial Relations Committee were intended to make clear the implications of co-equality, and to prepare the way for the gradual elimination of legal machinery and administrative practices not in conformity with that principle.

The Conference, he said, had given more time and attention to the elucidation of status than any preceding Conference, and he had no doubt it would be regarded as marking a definite step forward in the development of the individual States of the Commonwealth as distinct political entities in the general society of nations. They must consider their own position in relation to the whole body of States constituting civilised society. Their country, although amongst the smallest in Europe, had made a greater racial contribution to the building up of the great new

countries of the world than any of its neighbours except Great Britain. This gave to it a degree of influence which in modern international life should be a powerful force for increased prestige and prosperity.

Modern conditions made it incumbent on every country to enter into treaties and agreements with its neighbours, to make certain concessions to them, to waive certain rights, in the interests of its commercial or political well-being or even existence. The League of Nations, as it developed, might eventually give sufficient guarantees for the elimination of war and the political and commercial integrity of its members and make any further group arrangement unnecessary. But it would be foolish to imagine that the system of group association could cease to operate within any period calculable by this generation. No political regime in the Free State could remain isolated without substantial injury to the country; and even if it had not been declared a member of the British Commonwealth by the Treaty of 1921, it was pretty certain it must adhere to some group. He was satisfied that geographical and other conditions, the natural flow of their commerce, and many other agencies, would naturally lead to association with their nearest neighbour, Great Britain, and with the Commonwealth of which she was a member.

'Naturally we recognise,' Mr. Fitzgerald said, 'that the common kingship created a relationship making for and necessitating harmony and co-operation between the Governments of the various States of the Commonwealth, a harmony and co-operation already eminently desirable because of the close economic and other interests actually existing between them. These mutual interests necessitate certain mutual arrangements. The attitude of the Government is, and will remain, that those mutual arrangements should be dictated by that mutual interest and by that

only. Forms and practices still existing . . . from a time when the Government in Great Britain retained authority and power over the Dominions, were not calculated to assist harmony and co-operation, but might at some future time be the cause of misunderstanding and friction. . . . They should therefore be eliminated, not necessarily immediately or in haste, but certainly without needless delay.' He went on to recall certain anomalies under the existing conditions, especially concerning the office of the Governor-General, the exercise of extra-territorial powers, and the right of each Dominion to be free from all interference. Memoranda on these various subjects had been prepared by the Government, and Mr. Fitzgerald proceeded to examine in detail the report of the Imperial Conference in relation to each point. Page 15 of the Report stated that:

'A group of States so closely associated should at least have the same facilities for communicating their views to each other as normally exist between States having no particular bond between them. . . . Details of such an arrangement are to be considered.'

The question of extra-territorial powers had been referred to a committee to be set up, consisting of experts from the various States of the Commonwealth. The terms of reference for the Experts' Committee recognised the principle that each Dominion should have power to give extra-territorial operation to its legislation in all cases where such operation was ancillary to good government of the Dominion. A Special Committee had also been set up to deal with the question of merchant shipping.

Dealing with the question of a Dominion's right to immunity from interference, Mr. Fitzgerald pointed out that the practice of replies being sent from London, stating that 'His Majesty will not be advised to exercise his powers of disallowance,' did not exist as far as the

Saorstát was concerned. Although it had no relation to fact, it would convey the impression that the British Government retained the power to advise disallowance of all Acts passed by other Governments in the Commonwealth. Paragraph (*b*) on page 16 of the Report put on record the now incontestable fact that the veto of Acts by, and the reservation of Bills for the consideration of, any Minister outside the State no longer existed even in form or theory. The qualifying clause: 'Apart from provisions embodied in Constitutions or in specific Statutes' had no application to the Saorstát. The qualification was made necessary by certain special cases, upon which the Committee of Experts was to report and make recommendations, but no such cases existed with regard to the Saorstát.

Reviewing other matters which had been discussed, he pointed out that in the King's title, the anomaly of the description of the Free State as part of a political unit which came to an end with the Treaty, was to disappear. Appeals to the Judicial Committee of the British Privy Council were in the past founded on the right to hear such appeals vested in the Privy Council by British Statutes nearly a hundred years old. This right had been attenuated in the course of time, until the right to hear appeals had been substituted by the right to appeal, vested in the various parts of the Commonwealth if they wish to make use of that right. It had been urged at the Conference that, where changes in the existing system might raise issues in which parts of the Commonwealth other than the one primarily affected were concerned, changes should be carried out only after consultation and discussion. The Irish Delegates, while not pressing for the immediate abolition of the practice of receiving appeals, had maintained their right to bring up the matter again at the next Imperial Conference.

Infringement of the right of each Dominion to be

free from interference in its external affairs had, he explained, been more real than in relation to internal affairs. The Report showed that no State could involve another in active obligations without its definite assent. The general attitude of the Saorstát Government was that they should not be committed even to passive obligations except by their definite act. In the preamble to the Treaty of Versailles the description 'British Empire' was used alone when describing the parties between whom the Treaty was being made. That grave defect, raising serious doubts as to the independent status of the Dominions, persisted in varying forms in all League conventions.

'The question of our status in League international treaties and conventions,' he continued, 'had been giving the Saorstát Government considerable anxiety and they looked to the Imperial Conference as the most appropriate occasion for putting an end to doubts and anomalies which were generally harmful to our prestige and particularly capable of injuring us in the League of Nations. I think that a careful reading of Section V. of the Report will show that these difficulties have been very largely eliminated. The covering term "British Empire," and the unlimited powers of the British plenipotentiaries, disappear. Each State of the Commonwealth will now be represented exclusively by its own plenipotentiary appointed on its sole advice. The special relationship existing between the separate units of the Commonwealth will be symbolised by replacing the expression "British Empire" in the preamble, with its implications of federalism and one dominating Government, by the King's title, to indicate the actual link between the States of the Commonwealth.

'The new system gives exact expression to existing realities,' said Mr. Fitzgerald. 'There is a special bond between the States of the Commonwealth,

consisting not in a supreme governmental authority but in a common King. The exact nature of the relationship outside the common bond of the King is undefined; but it is naturally felt that League treaties and conventions cannot be taken as applying completely—as to all their articles—between them as if there was no special relationship whatever. They accord to each other mutual privileges and mutual rights which might easily be disturbed if there was not a general understanding that these treaties and conventions apply among themselves only when special agreements are made between them for that purpose. No *inter se* clause will in future be inserted in League documents. Nothing on the face of any international instrument will leave room for any other interpretation of their special relationship than that they are under the same King acting in a several capacity. Henceforth, also, Great Britain would be set out in these international instruments on an equal footing with the other Commonwealth States, and the powers of her plenipotentiaries will be limited territorially in like manner with the powers of other members of the group. That fundamental change in the interpretation and elucidation of status represents a considerable advance, and I wish to pay a tribute to the moderation and fairness of mind with which the British Delegates at the Conference accepted the definite formulation of this and other incidents of the basic principle of co-equality.'

The act of ratification, Mr. Fitzgerald went on, the most important act connected with a Treaty—by the King in respect of the Saorstát—could only be valid when he was formally advised to ratify by their Government. 'The same general principles govern representation at International Conferences. No obligations need be accepted without representation. If obligations are to be undertaken by the Saorstát, the

Government will advise the issue of special full powers in respect of the Saorstát to its own or to a common plenipotentiary, according to the importance to this country of the questions at issue. . . . Our Government does not approve of the form of representation employed at the Washington Disarmament Conference of 1921, at which the British representative held unlimited full powers. . . .

'It may take some many years to bring the functions of each State of the Commonwealth into complete harmony with the principle of co-equality. The British representatives abroad and the British Foreign Office continue to act as the channel of communication with foreign countries for the Dominions, until each has its own representatives in all countries. . . . Very important changes are set out in this Report to bring the position in regard to foreign affairs into harmony with the declaration of the beginning of the Report. . . . No doubt some of the Dominions will continue to regard the assumption of passive obligations in treaties which mainly concern Great Britain as a matter of no importance, but it seems to me that we should take a different view. . . .

'Henceforward the exequatur (to foreign Consuls) will be issued on the advice of the Dominion Government alone. It will be countersigned by the appropriate Dominion Minister, and will be handed to the foreign Consul on his arrival in the Dominion for the exercising of his functions.'

In regard to the permanent Court of International Justice, there had been no undertaking or agreement that any State of the Commonwealth should not recognise its compulsory jurisdiction any time it pleased, but before doing so the Government about to take action would discuss the matter with the other members of the Commonwealth.

Dealing with the Report generally in conclusion,

Mr. Fitzgerald contended that the British Commonwealth had evolved from a single Federal State to several States, with a Monarchy several in its functions, each State being complete master of its own destinies, notwithstanding anachronisms in legislation and Constitution. Nothing could be deduced from these anachronisms beyond their existence. He thought that all through the Report was a clear recognition of their temporariness. They would remain until they were removed, according to the convenience of time and circumstances. Many of the most important were removed by the Report, others were referred to committees of experts with a view to their removal. 'Absolute co-equality of status,' he declared in conclusion, 'has been definitely formulated. It now remains to adapt the machinery of legislation and administrative practice to that principle. That adaptation can take place very soon in most matters. It cannot be said that all our difficulties incidental to status have been solved. Time and experience will probably emphasise the importance of others which may now appear trivial. But . . . this Imperial Conference has given eminently satisfactory results.' And he finished his speech by paying a tribute to the friendly spirit animating all the delegates at the Conference towards the Saorstát, and expressed the belief that the better understanding arising from these friendly discussions would produce the best possible results.

Mr. Fitzgerald's speech, it will have been seen, was an elaborate attempt to convince the Dáil that the Government had not only been scrupulously vigilant in defending the political rights of the Free State, but had given a lead to other Dominions by its insistence on a clearer definition of certain matters. But the Opposition was by no means satisfied; and Mr. Johnson, who regarded the international status of

the Free State with special attention because of his own ardour as an international pacifist, was very critical of the Government's attitude towards commitments in the possible contingency of future wars. The Report of the Imperial Conference, he declared, had suggested to him that, far from there being an advance in the constitutional position of the Saorstát, there had, in fact, been a retrogression. He thought that the country should regard it differently from the other Dominions. In entering the League of Nations, the Saorstát had not designated itself as a fully-governing Dominion or Colony, but as a fully self-governing State entering the League. There was therefore no question of their subordination, or the inferior position which the statesmen of New Zealand believed their country to be in. He suggested that while the satisfaction expressed in the far-off Dominions might be accounted for by the belief they had of their inferior status, they had no right to derive satisfaction in the Saorstát from any declaration of equality of status. They in Ireland should rather be disappointed, at least doubtful, if that document were taken as representing what would be accepted universally as the facts of the case. Their own status had been achieved at one bound, as a result of a struggle and by a Treaty between the two nations. It had not been a case of slow growth and steady accumulation of authority and power. Therefore a distinction must be drawn between the position of the Dominions and of the Saorstát.

Reading the Report had, said Mr. Johnson, left upon him an impression that its effect was to fix in the minds of the participants in the Conference, and of other countries through the Report, the idea of the diplomatic and military unity of the British Empire, and that the States composing it were to be treated as a unit when dealing with non-British nations. He

recalled a statement made by Mr. Desmond Fitzgerald earlier in the year that 'the British Commonwealth is the British Empire plus all those independent States, including the Irish Free State.' The position to-day, he contended, was the exact opposite; the British Empire now, according to the document, was the British Commonwealth of Nations plus the Protectorates and India and the Colonies and all the realms of the King. That was a complete change from the definition held by their Ministers only eight or nine months ago.

Mr. Johnson went so far as to say that the last paragraph on the page of the Report, defining equality of status, to his mind nullified all the declarations about equality of status so far as international relations were concerned. To say that the various nations within the British Commonwealth had equality of status, and then to say there was dissimilarity of function, was, he agreed, to say in effect that within this British Empire the Dominions might be final and complete authorities in matters affecting their own internal affairs, but when they came to decide external affairs in relation to other countries, then there had to be a distinction.

Quoting some of the statements by Lord Balfour, Mr. Johnson contended that he was thinking in terms of the British Empire as an international unit. The document was, he declared, permeated right through with that general conception. He felt that the Report would have the effect of retarding normal political development in the country. It would place obstacles in the way of maintaining and improving relations between Ireland and Great Britain, and would have a disintegrating influence in the League of Nations. He held that they should claim that the very acceptance by the League of Nations of the Saorstát on the terms on which they entered it, was a certificate to the

world that they were a full self-governing State with international rights. How could they claim that the Conference Report added anything whatever to their status? Did it not rather detract from their status?

Mr. Johnson criticised severely the Minister's explanation of the new position in regard to treaty obligations. If the Saorstát were expected to express consent to all active and passive obligations, that would involve an enlargement of their Ministry of External Affairs, to make itself familiar with foreign affairs in all parts of the world. Was that necessary? If the Saorstát made no adverse comment on any proposal, then the British Government might proceed on the assumption that its policy was generally acceptable. He could find nothing in the Report that would meet the case of a Dominion which said that it was not concurring in a negotiation, or not participating in a treaty, which had to be entered into by all the Governments of the Empire.

If he could feel any confidence that they were any nearer to the position in which non-British nations would be prepared to recognise the neutrality of the Dominions until they perpetrated an act of war or made a declaration of war, he would give his blessing to the Report and to the proceedings of the Conference. But he felt they had gone further away from that position. As a practical illustration, he asked Mr. Fitzgerald to tell them whether the Executive Council accepted any responsibility for British policy in China? Mr. Fitzgerald replied at once, 'No, certainly not. This Government has not advised any action in China, and, as I have stated here time and again, nothing can be done in any way committing this country except on the definite advice of this country.' Mr. Johnson welcomed this explicit statement by the Minister, and said that it ought to be followed by a formal statement by the Government,

to be approved by the Dáil and the Seanad, intimating to every Government that the Saorstát was not involved in any action of any Government in the British Empire except its own, that it accepted no responsibility for British policy anywhere except the policy initiated by and carried through on the advice of its own Executive. He asked what would be the effect on the League of Nations of the suggestion, which he found throughout the Conference Report, that there was a single foreign policy for the British Empire? The Saorstát had been a candidate for representation on the Council of the League in September. What would other Members of the League say, presuming this unity of foreign policy and co-operation in foreign affairs, when there was question again of any British Dominion being represented on the Council?

He put it to the Government that it would be a valuable contribution to the development of international affairs, if they would make and convey to all other States within and outside the League a statement very much more explicit than what the Report gave, that they in the Saorstát were not responsible for any act unless definitely and clearly the act of the Government. 'When this is done,' continued Mr. Johnson, 'I think we may take the further step and seek by the most convenient means to get this State, at any rate, and the Dominions, so far as they wish to arrive at the position, recognised as not involved in war when Great Britain is at war. . . . I know that such a declaration when accepted would necessarily involve some revision of our constitutional position. But that is a comparatively small thing if we can get the acquiescence in the principle of other countries, and I am pretty confident that it would not be difficult to get the acquiescence of that country which is closest to us.'

Professor Magennis, whose dialectical subtleties always limited the importance of his opinions, but who nevertheless had become the spokesman of an advanced nationalism in the fourth Dáil, denounced the whole Report of the Imperial Conference as being 'a challenge to the international status of the Free State.' And it would be foolish to underrate the importance of this attitude, of which he was the unofficial spokesman at the time, but which the Republican Opposition in the present Dáil must be regarded as sharing completely. His main criticism was that the implications of the Imperial Conference Report were incompatible with the plenary rights of the Free State as an independent member of the League of Nations. If the League of Nations' view were correct, he contended, then Ireland was not a part of the British Empire. But if the first Article of the Treaty was correct, then Ireland was a member of the Community of Nations known as the British Empire. If the statement made in the Report, page after page, was correct, then the Community of Nations known as the British Commonwealth of Nations was included within the British Empire, and Ireland as a component part thereof was, *ipso facto*, thereafter included in the British Empire. Referring to the specimen Treaty on page 29 of the Report, Professor Magennis pointed out that if a Treaty should be made between the Saorstát and any other country, the Treaty would be signed by the King, not on behalf of Ireland as King of Ireland, but with the title set out on page 15 of the Report: 'George V. by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.' One anomaly, he contended, had been removed by creating another which debased their status and removed from them the status they had been granted

by entering the League. That was a definite and very pronounced step backward.

In regard to the alterations proposed concerning the Governors-General, the communications between the Dominions and Great Britain would in future be through Prime Ministers, although there was some hope held out that when Great Britain was to communicate with one of the Dominions she would appoint an Agent-General to represent her. But the Saorstát Minister for External Affairs was not recognised as an existent being with a definite function inside the Commonwealth of Nations. Professor Magennis denounced the Imperial Conference as being in reality a super-Cabinet contriving by various intrigues, arrangements, and agreements to transform the real character of the status of the components of the Commonwealth without leaving proper room for full examination by Parliament. He contended that the anomaly by which six counties of Ireland were regarded as a component of the British unit, when there was a question of signing a Treaty on behalf of Great Britain, outraged the sentiments of the Irish people.

Even the Farmers' Party, which usually paid much less attention to such matters than to economic problems, expressed its dissatisfaction. Mr. Baxter, who was to become the Leader of the Party in the next Dáil, complained that the sovereignty of the State had not been accepted in the way they understood it. He criticised particularly the failure of the Irish delegates to insist upon an abolition of the right of appeal from the Irish Courts to the Judicial Committee of the Privy Council. The Report of the Conference, he contended, had left the position of the Free State in regard to external affairs less clear than it had been before; and he hoped that no position would be accepted by the Government other than the complete insistence upon full sovereign rights.

After so much strong criticism had been levelled against the Government, Kevin O'Higgins, as the most active Irish delegate at the Conference, made a statement intended to reassure the Dáil. He repudiated any suggestion that the Irish Ministers had gone to London to negotiate a new Treaty with the British Government. They had gone to take part in a triennial conference between the Governments of a group of States of which the Saorstát was one. He claimed that anything, everything, that to them appeared to conflict with the conception of the fullest co-equality of status had been raised by the Irish delegates at the Conference. 'I make this offer to Deputies,' he said, 'that if they, from their study of the constitutional mechanism of this community of nations known as the British Empire, can direct our attention to other matters, those will be attended to, whether at an Imperial Conference or by direct representation to the British Government. By one or the other course at any rate those matters will have attention.' He claimed that the points which struck them as being in conflict with the conception of co-equal status, had been raised by them at the Conference and dealt with in detail at the Inter-Imperial Relations Committee. Not all, it was true, had been dealt with to a conclusion. Some, for what seemed a sufficient reason, had been left over for fuller examination by a committee which would be set up in the near future. But many matters had been dealt with to a conclusion satisfactory to those who raised them.

In regard to the change in the King's title, he said that this change was simply something that was now decided and had been overdue for a considerable time. The King never meant the British Government or any British Minister; but even in form, even under those shreds of constitutional fiction dating back to the Colonial phase of the development of the

Dominions, whatever shred of justification there was for that assertion had now to go; and the seven States composing the British Commonwealth of Nations stood, in form and in fact, and in reality, on a footing of most complete equality of status.

Finally, in concluding the debate, the Minister for External Affairs restated with much emphasis the Free State's claim that it could not be committed to any treaty without its own explicit consent. 'We cannot,' he said, 'be party to any negotiations or treaty except by the act of a plenipotentiary appointed on the advice of this Government. The distinction between "obligations" and "active obligations" was necessary in order to make it clear that the general assumption with regard to passive obligations is more obviously justified in the relations of the Commonwealth *inter se*.'

Mr. Johnson immediately asked for more definite assurance on this point by presenting a hypothetical case. Suppose, he asked, the Free State should deprecate any arrangement between Great Britain and Abyssinia in regard to the sphere of influence in Abyssinia. Was there, he asked, any obligation imposed on the Irish Government to accept or demur, or to keep silent? Supposing that they knew of such a proposal and paid no attention whatever to it, would it not be believed by the Government of Italy, for instance, that the Free State was a party to the arrangement? Mr. Fitzgerald replied that he did not see that such a belief would be justified. 'The negotiator,' he said, 'acts on behalf, and has power to act solely on behalf, of the British Government with powers covering merely the extent of area of their jurisdiction.' He pointed out that the position dealt with by Mr. Johnson was not entirely a new position; it had existed before. In connection with negotiations between England and Italy with

regard to Abyssinia, he held, and was satisfied, that they were in no way included. Mr. Johnson then asked: 'Supposing that negotiations between England and Italy led to warfare, would Italy recognise that we are not participants—that we are neutrals?' To which Mr. Fitzgerald replied with commendable frankness: 'The Deputy knows that is a particularly difficult thing to answer. It is a matter that I cannot possibly give a straight answer to now. . . . We know that on these occasions legal forms go by the board, and so far as I can interpret it, it would mean on strictly theoretical constitutional lines that the King could only declare war when he had simultaneous unanimous advice to that effect from all the Governments. That would be the constitutional position. . . . One might say, first of all, that the King's subjects are at war when he is at war, and therefore Ireland is at war; and someone else might say that the King has no authority to declare war on behalf of this country when he has no advice from our Government, and therefore we are not at war. I cannot go any further now.'

In conclusion Mr. Fitzgerald contended that there could not be diplomatic unity when there were a number of different Governments advising, and when their advice in any matter might be divergent. The Report laid down quite clearly that in the affairs of the Saorstát no Government but its own could advise. It also laid down clearly that the full powers issued by the British Government to its negotiators would be limited to the area of jurisdiction of that Government.

CHAPTER IX

AMENDMENTS TO THE CONSTITUTION

Provisions for amendment—The Treaty already amended—Abolition of the public holiday for polling day—Lengthening the term of the Dáil—Ensuring the Speaker's re-election—Extern Ministers—The changes justified—The Referendum—The Initiative by the electorate—A high-handed policy—How P. R. has worked—Stability of representation—Elections for the Senate—The powers of the Senate.

In view of the haste with which the Constitution was drafted, provision was made for its amendment by ordinary legislation during the first eight years. Article 50 laid down that such amendments might be passed 'within the terms of the scheduled Treaty'; but that after eight years a Referendum of the people would be necessary to ratify any further amendments. Advantage has already been taken of this Article to rectify a number of inconveniences which experience quickly revealed; and as the time during which amendments can be passed without requiring a Referendum is now approaching its end, there is a strong demand for a general revision of the Constitution on lines to be agreed upon. A Select Committee of ten members of the Dáil to consider desirable amendments was appointed in November 1926, when Mr. Cosgrave obtained the general assent of the Dáil to the principle that the Speaker should be chairman of the Committee *ex-officio*. On each occasion when particular amendments to the Constitution have been brought forward, it has been urged in various quarters

that the problem should not be dealt with in detail, but that a joint Committee of the Dáil and the Senate should consider the whole Constitution and produce an agreed list of amendments that have been found necessary. But the Government has for various reasons decided to introduce special amendments as need arose; without waiting for any general consideration of the whole matter.

It was curious indeed that the first amendment to be passed by the Oireachtas was one which amended the Treaty itself, as a result of the agreement between the Imperial and the Irish Governments that settled the crisis over the Ulster boundaries. The Treaty had been framed on the assumption that Northern Ireland might elect to come voluntarily under the jurisdiction of the Free State; and nearly half of its clauses related to matters connected with that contingency. But the Northern Parliament immediately decided against participation in the Free State, and the clauses dealing with that contingency consequently became inoperative. Article 12 of the Treaty, however, decreed that the boundaries of Northern Ireland were to be revised by a Boundary Commission, if Northern Ireland refused to join the Free State; and it was necessary to wipe out this Article of the Treaty after an agreement between both Irish Governments and the Imperial Government had been concluded in December 1925. It was agreed also to cancel Article 5, under which the Free State had been made liable for a proportion of the British National Debt, subject to consideration of the Free State's counterclaims. To make the necessary amendments to the Constitution which were inherent in this transaction, Constitution Amendment Act (No. 1) had to be carried through the Oireachtas.

The effects of this change were much more far-reaching than was realised at the time. It not only

showed the possibility of amending the Constitution at short notice, but demonstrated that the Treaty itself, upon which the Constitution was based, was also susceptible to reconsideration. If the Imperial Government could thus be persuaded in friendly negotiations to abandon Article 5 of the Treaty, which had imposed upon the Free State the obligation to shoulder part of the National Debt, was it really so unthinkable as everyone had hitherto believed, that other negotiations might produce a similar modification in eliminating or amending the oath of allegiance? The Government was left virtually without any reply to such questions, which were very soon asked with growing insistence; and Mr. Cosgrave's adamantine refusal to raise the question of the oath of allegiance, even as a matter of friendly negotiation, did not convince an electorate who had already witnessed the abolition of Article 5 of the Treaty.

Other amendments to the Constitution were soon found to be inevitable as the end of the fourth Dáil approached. Several of them had an immediate bearing upon the impending general election, and the Government introduced them as being immediately urgent, before there had been time for any general reconsideration of the Constitution as a whole. In December 1926, the Government introduced four Bills to make minor amendments before the elections of the following April. The least contentious was a Bill to abolish the statutory public holiday which was decreed by the Constitution for the polling day all over Ireland. This was supported by the Labour Party, as well as by business men, on principle, on the ground that the enforced holiday involved an unnecessary loss of wages, in addition to dislocating business. Mr. Johnson only stipulated that the Government should extend the hours for polling so as to enable everyone to vote after finishing the day's work; and

apart from his formal protest against this method of amending the Constitution in detail, the Bill was carried without a division.

There was in fact no serious opposition to any of the first three of the four amendments. One of them was to extend the maximum period of office of the Dáil from four to five years, while leaving the Dáil free to dissolve at any time within that period. Mr. Johnson, insisting again upon his rooted objection to any casual amendment of the Constitution, persuaded the Government to extend the statutory maximum life of the Dáil to six years instead of five; on the ground that the electoral law could be altered at any time, but that the Constitution should provide an ample margin which would not require reconsideration.

On principle, the next Bill, to safeguard the re-election of the Speaker, did not meet with any opposition, though the method proposed by the Government was severely criticised, and eventually an alternative suggestion made by the Senate was adopted instead. It had become apparent that under the system of Proportional Representation, the Speaker would stand a very poor chance of re-election although he might be regarded as indispensable by the Dáil as a whole. Being obliged to abstain from all party politics during the life of the Dáil, he would be at a grave disadvantage in standing for a constituency where vigorous personalities would be competing against him. The English method of allowing him to be returned unopposed could not be adopted because there were no single member constituencies. To meet this difficulty, the Government proposed a new departure, which immediately aroused the strong feelings of the Dáil in regard to the first principles of the Constitution. The Government asked that the Speaker should be automatically returned to the next Dáil for the same constituency as he represented before; so that he

would sit as a member of the Dáil without representing any constituency, whether the Dáil re-elected him as Speaker or not. Mr. Johnson protested vehemently against the proposal, although expressing his strong wish that some means should be found of securing the Speaker's re-election without compelling him to resume participation in party politics. He objected to any amendment of the Constitution without previous reference to a Committee on which the Senate should be represented; and denounced this particular method of securing the Speaker's return on the ground that the Constitution already declared that every member of the Dáil must have been elected as a deputy by some constituency. Mr. Gorey, as Leader of the Farmers' Party, also regarded the Government's proposal as an infringement of the principle of democratic representation; and he showed most remarkable foresight in suggesting that there might easily be intense party rivalry in the election of the Speaker, who would have a casting vote if parties should ever be equally divided—as they in fact were within less than a year afterwards. The Government's proposal would create an additional member of the Dáil, and if parties were evenly balanced when the Dáil assembled, his election would inevitably be governed by party considerations. The method proposed by the Government was thus challenged, and it was not until the Senate provided an ingenious alternative proposal that the amendment to the Constitution was carried without a division. The Senate hit on the simple compromise of proposing that the Speaker should be automatically returned to the next Dáil, but that he should sit for the same constituency which he represented before, and that this constituency should then elect one member less. This compromise was at once adopted, and the Constitution was amended accordingly.

More difficult issues were raised by the fourth amendment to the Constitution which the Government proposed in December. When the Constitution was framed, it had been hoped that the Executive Council would be confined to a small inner group of Ministers, who would have collective responsibility for the policy of the Government; and that outside the Executive Council there should be a number of extern Ministers directly elected by the Dáil, with responsibility only for the Departments under their own control. The Government had found that this system was unsatisfactory—chiefly because one of the extern Ministers, the Postmaster-General, Mr. J. J. Walsh (who subsequently left the Government Party and joined forces with the Republicans when they had entered the Dáil), had used his position to criticise the general policy of the Government of which he was himself a Minister. The Government therefore proposed to increase the maximum membership of the Executive Council from seven members to twelve, so that future Presidents of the Council should have a wider freedom to choose their colleagues; instead of being restricted to a maximum of twelve Ministers, of whom five might be extern. This change was regarded by the Senate as an infringement upon its own rights, inasmuch as extern Ministers need not be members of the Dáil, whereas members of the Executive Council must be. A conflict over the question between the Dáil and the Senate ensued, which is described in the separate chapter of this book devoted to the Senate. But in the Dáil also the Government's proposal met with considerable opposition.

Kevin O'Higgins, in introducing the Bill, explained that its object was to provide greater elasticity in the selection of Ministers. It might be, he said with that ironically diplomatic style which was characteristic of him, that 'their experience of having extern

Ministers had led them to think it less valuable than they had thought it would be.' In practice they had found that every Department radiated into the Department of Finance, so that while theoretically a Minister might have single responsibility to the Dáil and to the country, his aloofness was largely theoretical. They desired a free hand for the President to decide how large his Council should be, and for how many Departments he with his colleagues should assume political responsibility.

Mr. Johnson objected to the change strongly, and could see no necessity for it. He thought the experiment of having extern Ministers had not been tried. There was a difference between the pure administrator and the political statesman. If there was an Executive Council of twelve members, there would almost certainly be a smaller number as the real acting Executive. He would have much preferred that the idea of extern Ministers should have a trial before a change were made. The extern Ministers had, he considered, forgotten the conditions of their appointment, and preferred to be responsible to the Executive Council rather than to the Dáil.

Mr. Hewat, one of the Dublin business representatives, criticised the proposal on other grounds, and thought that a considerable increase in the number of Ministers would extend the likelihood of difference among themselves, which would react on the administration. But Mr. Heffernan, speaking for the Farmers' Party, said that the situation of an extern Minister responsible to the Dáil was always unreal. He thought there were too many Ministers, and consideration should be given to the question of amalgamating certain Ministries. He believed that all Ministers should belong to the Executive Council, so that they might have a collective and an individual responsibility for the policy of the Government. He

pointed out that on some matters of vital policy, Ministers had shown distinct differences of opinion, and he thought that state of affairs should not exist.

Mr. O'Higgins, in reply to his critics, expressed the Government's view that the popular mind had never adjusted itself to the conception that what was called 'the Government' should not be responsible for the entire sphere of legislation and administration; and he doubted very much whether it ever would. The Government was always held responsible when any complaint arose. The Executive Council could not be divorced from the extern Minister in such a way that he could be entirely free to go to the Dáil and the electorate, claiming that he could make the country blossom like a rose only for the Finance Minister. There was also a radiation of all the Departments into the Executive Council, so that the responsibility of extern Ministers was more theoretical than practical. Proportional representation might lead to numerous groups in the Dáil, and to forced coalitions, so that the circumstances would vary after each General Election, and the problem would thus be made still more difficult. The Government had its way on the matter without much difficulty, and the necessary amendment to the Constitution was carried.

The benefit of these amendments was apparent soon after they had passed. The General Elections were held in April without involving a loss of a day's wages throughout the country. The Speaker was returned without question to the Dáil, where his experience and tact were in fact urgently required, as things developed in the brief life of the new assembly. Had he been obliged to face re-election in the ordinary way for his old constituency, the National University, it is highly probable that he would not have been returned, in a very close contest between several candidates of remarkable ability who represented

strong feelings and party issues. And when Mr. Cosgrave formed his new Government in June, he was free from the former restrictions upon the number of his colleagues in the Executive Council. The other amendment which the fourth Dáil had passed, was, however, shown to have been far from urgently necessary. The new Dáil, which was so balanced that no party could hope to retain a sufficient majority, lasted for fewer months than the Constitution had provided years for its duration. The assassination of Kevin O'Higgins brought matters to a sudden climax, and the Government decided to adopt coercive measures intended to force the Republicans into the Dáil. It brought forward three Bills simultaneously, two of which were directly aimed at removing abuses which had been made possible by the Constitution. The Public Safety Bill scarcely exceeded the powers which any Government might claim under the Constitution for dealing with a national emergency. But the Electoral Amendment Bill, which imposed the oath of allegiance upon parliamentary candidates before they could stand for election, was undoubtedly—as Captain Redmond and other critics of it said—a violation of the spirit, if not of the letter, of the Constitution, under which any eligible candidate could appeal to the electors on any programme whatever.

Both these Bills, however, were carried swiftly through the Dáil, and they compelled Mr. de Valera and his party to take their seats before the third Bill, which was part of the Government's programme for dealing with the sudden emergency, had been carried. Their entry into the Dáil resulted in a dissolution within a few weeks, and Constitution Amendment Bill (No. 6) was never carried beyond its second reading. But the Bill must be noted, for it drew attention to one of the most serious inconveniences of the Constitution. In accordance with its democratic character, the Consti-

tution had made provision for a Referendum, not only in regard to amendments to the Constitution itself but for other matters also. No serious importance was attached to it until the Republicans, gaining confidence after their unexpected success at the elections to the fifth Dáil, announced their intention of taking advantage of Articles 47 and 48, which contained obvious possibilities for obstructing the operation of the Public Safety Act and for initiating a Bill to abolish the oath of allegiance. The Government realised that both these objects could be attained by utilising the facilities provided in the Constitution, and they introduced their Bill to limit or abolish these powers. They discovered, on considering the matter, that the Referendum would be an extremely expensive proceeding—Mr. Blythe estimated the cost at £85,000 in each case—and also that no definite provisions had been made for the working of the Referendum in practice.

Article 47 of the Constitution contains the following provisions :

'Any Bill passed or deemed to have been passed by both Houses may be suspended for a period of ninety days on the written demand of two-fifths of the members of Dáil Eireann, or of a majority of the members of Seanad Eireann presented to the President of the Executive Council not later than seven days from the day on which such Bill shall have been so passed or deemed to have been so passed. Such a Bill shall in accordance with regulations to be made by the Oireachtas be submitted by Referendum to the decision of the people, if demanded before the expiration of ninety days either by a resolution of Seanad Eireann assented to by three-fifths of the members of Seanad Eireann, or by a petition signed by not less than one twentieth of the voters on the register of voters, and the decision of the people by a majority of the votes recorded on such Referendum shall be conclusive. These provisions shall not apply to Money Bills or to such Bills as shall be declared by both Houses to be necessary for the

immediate preservation of the public peace, health or safety.'

Mr. Cosgrave, in introducing his Bill, pointed out that, while he did not propose to abolish the powers conferred by Article 47, it had become necessary to decide whether or not deputies who had not taken their seats in the Dáil were entitled to use this power. If they were, then it would obviously be possible for any party of 62 abstentionists to remain permanently outside the House and prevent it from carrying on its work by systematically presenting one petition after another. In fact, there were not, and there have never been so many as 62 abstentionists elected to the Dáil; but in regard to the Public Safety Act those who remained outside it could count upon the co-operation of several groups in the Dáil. In the debate which followed, every party opposed the Government's policy—the Labour Party and Captain Redmond's National League, because they had already opposed the Public Safety Act, and were willing to do anything possible to prevent its operation, and the Farmers' Party because they objected to these single amendments to the Constitution in detail.

On the second point Mr. Cosgrave was on firmer ground. Article 48 of the Constitution provides that:

'The Oireachtas may provide for the initiation by the people of proposals for laws or constitutional amendments. Should the Oireachtas fail to make such provision within two years, it shall on the petition of not less than seventy-five thousand voters on the register, of whom not more than fifteen thousand shall be voters in any one constituency, either make such provisions or submit the question to the people for decision in accordance with the ordinary regulations governing the Referendum. Any legislation passed by the Oireachtas providing for such initiation by the people shall provide (1) that such proposals may be initiated on a petition of fifty thousand voters on the

register, (2) that if the Oireachtas rejects a proposal so initiated it shall be submitted to the people for decision in accordance with the ordinary regulations governing the Referendum ; and (3) that if the Oireachtas enacts a proposal so initiated, such enactment shall be subject to the provisions respecting ordinary legislation or amendments of the Constitution as the case may be.'

In this case Mr. Cosgrave definitely sought to abolish altogether the right of the electorate to initiate legislation by the means provided. He pointed to the confusion which must arise owing to the lack of detailed provisions in the Article. Apparently power was given to any 75,000 voters on the register to present a petition to the Oireachtas ; but it was not stated to whom the petition should be directed or delivered. And if some of the 75,000 signatures were subsequently found to be false, the whole procedure would apparently have to be renewed. Other speakers in the debate regarded this ambiguity as a reason for allowing the Republicans to proceed with a manœuvre which could only fail and result in their own discredit. But Mr. Cosgrave would not listen to such objections. He was determined to put an end to this agitation for an abolition of the oath of allegiance ; and, rather than allow the question to be agitated in the country, he insisted upon altering the Constitution—even though he himself pointed out that under the Article itself, no legislation could be proposed which contravened the Treaty. ' Even if all the cumbrous machinery could be gone through,' he said, ' with its double reference to the people and the enormous expense it would entail, a Bill which would be repugnant to Article 4 of the Treaty would be absolutely void and inoperative.'

In view of these frank admissions, Mr. Cosgrave's demand for an amendment to the Constitution solely in order to defeat a futile manœuvre by the Republican Party was extremely high-handed. But the assassination of Kevin O'Higgins had made the Government

adopt that attitude deliberately. It was vehemently criticised in the Dáil, especially by Captain Redmond, who objected to this altering of the Constitution solely with the object of preventing a rival party from taking advantage of the rights which it had invoked. Mr. de Valera's followers had, he argued, been at last showing signs of developing upon constitutional lines. The very fact of their invoking an Article of the Constitution was a big advance upon their former attitude. The Government's reply to that advance, in depriving them of the rights which they had begun to claim, could only throw them back upon a policy of violence and revolution. But Mr. Cosgrave was a shrewder judge of realities than the Opposition ; and he believed that by drastic measures he could force even Mr. de Valera to swallow all the professions that he had renewed even a few months before. Events justified his belief ; and instead of reverting to lawless methods, Mr. de Valera and his party bowed to a will stronger than his own, and by entering the Dáil removed one of the two reasons which had been urged by Mr. Cosgrave on behalf of his proposal to amend the Constitution.[1]

The Bill lapsed with the dissolution of the Dáil ; but the inconvenience of these provisions for legislation from outside the Dáil remain, and Articles 47 and 48 are not likely to escape alteration when the general revision of the Constitution takes place. Various other provisions have also given cause for dissatisfaction, and a thorough revision of the whole

[1] Since the election of the new Dáil, the Republican Party have proceeded with their plan for initiating a law to abolish the oath of allegiance. The necessary 75,000 signatures have been obtained ; but at the time of writing it is still uncertain whether any legal means exists for presenting their petition to the Oireachtas. It can obviously be presented to the Governor-General, the Chairman of the Senate and the Speaker of the Dáil separately ; but none of these three can claim to receive it on behalf of the whole Oireachtas.

Constitution is likely to occupy the attention of the new Dáil at an early date. Throughout the debates on these particular amendments, there has been a constant insistence upon the need for a Joint Committee of both Houses to examine the whole question in detail and to prevent an agreed report. A few matters may be mentioned specially as likely to provoke discussion. Proportional Representation has been frequently criticised on the ground that it discourages public interest in general elections, owing to the large size of the constituencies and the necessity of choosing among many candidates who are not widely known outside their own districts. But experience has shown that Proportional Representation works much better than most people believed at first. The small proportion of votes in the earlier elections was largely the result of apathy and disillusionment after the civil war. The Southern Unionists, and many of the older Nationalists, refused to take any interest in the election of candidates who were for the most part unknown young men, who had driven them out of their old ascendancy in Irish public life. More settled conditions, and a growing consciousness of the vast possibilities of the new regime, and also a general recognition—however reluctant—of all that the young leaders of the Free State have accomplished, have brought about a revival of public spirit which is expressed in the larger number of voters in the recent elections.

And in practice, Proportional Representation has worked most astonishingly well. Instead of encouraging small groups, the last elections showed that it almost eliminated the smaller parties in favour of the two main parties of the Government and the Opposition. The fifth Dáil had shown the disastrous consequences of the group system ; and in the elections of September 1927, there was an immense transfer of

votes to strengthen the Government on the one side and the Republicans on the other. The result suggested indeed that neither the Labour Party nor Captain Redmond's National League would have obtained so considerable a following if the Republicans had provided a constitutional Opposition sooner. The Farmers' Party had obtained support chiefly because it provided a means of expressing criticism of the Government without risking a return of the Republicans while they were pledged to overthrow the Constitution. Once Mr. de Valera's party entered the Dáil and gave guarantees that they did not intend revolution, tens of thousands of votes were transferred from the Labour Party and from the National League to them as the recognised and official Opposition in the Dáil. And realising this, many former supporters of the Farmers' Party rallied to the Government in which they believed. The net result of the election was indeed a remarkable vindication of the system of Proportional Representation. The two smallest groups—the People's Party led by Professor Magennis, and the extreme left wing of Sinn Féin—both gave up all attempt to contest the elections as parties.

On the other hand, the results showed that Independent candidates with a strong local backing could count upon election with a security which could not be hoped for under the old system of election. The few survivors of the National League and the Farmers' Party should really rather be counted as strong Independent candidates than as members of small parties. Captain Redmond, for instance, retained his family stronghold in Waterford, and his only other surviving colleague, Mr. Coburn, was in a similarly strong position in County Louth. The results in Dublin were specially remarkable. There, Major Bryan Cooper, as the representative of the old Southern Unionists, had headed the poll in the first elections to

the Dáil. When, after the fifth Dáil, he decided to join the Government Party so as to avoid detaching votes from it, another Independent candidate suddenly appeared to take his place. Mr. J. X. Murphy, a former Governor of the Bank of Ireland, coming forward unexpectedly as an Independent candidate, appealed to the same section of the Dublin electorate who had previously given their first preference votes to Major Bryan Cooper, and—rather to the amazement of the political prophets—secured one of the Dublin seats. But in Dublin, where various important interests are strongly concentrated, the success of Independent candidates has been most characteristic. It has consistently returned two Independent business candidates in Mr. Good and Mr. Hewat, besides Major Cooper; and the interests of the unemployed and of the Dublin casual labourers have been specially represented by Mr. Alfred Byrne, and in the new Dáil by Mr. James Larkin, who stood nominally as a Communist, but in reality as the spokesman of the Dublin dockers and the unemployed. While each of these independent candidates was safely elected, Mr. Thomas Johnson, who stood as the leader of the Labour Party, failed to retain his seat in Dublin County—just as Mr. Baxter, standing as leader of the Farmers' Party, failed to retain his seat in County Cavan.

Still more remarkable than the successes of these independent candidates in Dublin was the very notable success of independent candidates who stood definitely as representatives of the Protestant minority in all the counties along the Ulster border. In County Donegal, Colonel Myles has headed the poll as an Independent Protestant candidate in every election since the Free State was established. At the last elections, similar successes were obtained by Independent Protestant candidates in all the counties adjoining the Ulster frontier. One was elected in

Louth, another in Monaghan, and another in Cavan; and there is little doubt that a Protestant Independent candidate would easily secure election in Cork City. This group of Protestant candidates, working in natural sympathy with the three deputies for Dublin University, and with the representatives of the business interests of the old Southern Unionists in Dublin, already form the nucleus of a Conservative party—yielding to none in their loyalty to the Free State—which is scarcely less numerous already than the Labour Party in its present strength in the Dáil, and commands a very great influence.

The result of the whole system since it has been tried for the first time under normal conditions—now that the Republicans have entered the Dáil as a constitutional Opposition—is that the Dáil consists roughly of three equal groups; the Government Party and the Republican Opposition who are in nearly equal strength, and the Independents, among whom should be included the nominal members of small parties like Captain Redmond and Mr. James Larkin, who in reality represent special local interests. In fact it would seem unlikely that this rough division of the Dáil will change to any great extent for some time to come. No opportunity for sweeping the country under favourable conditions could be more favourable than that which Mr. Cosgrave exploited very skilfully in August last; and his own shrewd forecast of the results was literally fulfilled when his own party obtained no more than exactly 61 seats. Mr. Cosgrave realised that the system of Proportional Representation introduces an almost stable representation into politics which is almost incomprehensible in English politics under the present system; and the marginal difference between one election and another, which can make such sensational changes in England under the present system, cannot be expected to make

any very considerable change in the balance of parties in the Dáil so long as Proportional Representation is retained.

Nor is it likely that the Dáil will abolish Proportional Representation, even if some modification of the system is found desirable. Had the English system been in force in Ireland last September, it would have been just as likely that the Republicans rather than the Government Party would have won seats out of all proportion to their real strength; and in Ireland there is not the same tradition as in England of watching a general election as though it were a cricket match or a boat race, with a probability that either side will gain a greater victory than it deserves. In the Free State the issues at stake in a general election are too important to make such risks worth while—even as an inducement to more voters to go to the polls. The happy British tradition which makes the Opposition virtually as powerful as the Government, with a sense of co-operating in all that Parliament does, has not yet grown up; and cannot grow quickly. Least of all would the minorities welcome a change of the system which gives such practical guarantees of direct representation and influence. On the other hand, it is generally agreed that the constituencies are too large as they stand, and some redistribution of the arrangement may be found necessary. The cost of circularising electors alone runs to an enormous figure; while it becomes impossible for any new candidate to make himself known all over a large county. In one way, the expense of such elections provides a safeguard against the formation of many small parties, and encourages large parties which can hope to find adequate electioneering funds. And the independent candidates must not only be public men well known in their own districts; they must be able to find considerable financial support as well.

In regard to the Senate, the system is still more unwieldy, inasmuch as the whole country becomes a single electorate for such elections. In practice it has been found that only a proportion of the candidates who stand for election are known even by name throughout the country. But the results of the Senate elections have been extremely encouraging, and prove, even more than the elections to the Dáil, that Proportional Representation works much better than was ever expected. At the last elections for the Senate, only the candidates who were supported by really national interests or organisations—the ex-servicemen, or the liquor trade or the school teachers, for instance—secured election without difficulty. And the remainder, after many unimportant candidates had dropped out, were in fact men who had spent years in public work of one kind or another—on county councils, or in various forms of national service. Some means of providing a smaller constituency is obviously desirable, and it may be that the Senate will in future be elected by provinces, with a quota of seats allotted to each province; but the system of Proportional Representation can scarcely be assailed in view of its results hitherto. The position of the Senate in relation to the Dáil certainly leaves room for improvement. At present membership of the Senate involves exclusion from the Executive Council—which in practice means virtually the whole Cabinet. Many of the ablest and most patriotic citizens of the Free State are in this way excluded from responsibilities which they are specially fitted to undertake; and even if the strong prejudices of the Dáil to allowing anyone outside itself to participate in the Executive are to prevail, some strengthening of the powers of the Senate would seem to be desirable if the Senate is not to become a purely honorific body providing salaries to those who have given service to the

State. Mr. de Valera in the meantime has put forward a demand for its total abolition—a change which would require a revision of the Treaty, but which can scarcely be regarded as being out of the question.

PART II

FOUNDING A NEW STATE

CHAPTER X

THE RESTORATION OF ORDER

End of the civil war—Renewed outbreaks in November, 1926—Emergency Powers Bill—Murder of Kevin O'Higgins—Mr. Cosgrave's revelations—History of the irregular organisation—Its repudiation of Mr. de Valera, 1925—The irregulars and the murder of O'Higgins—The Public Safety Act, 1927—A drastic code—Very few arrests made—Attempt to repeal the Act fails.

THE story of the civil war between the supporters and the opponents of the Free State has been told in other books and need not be recalled in detail here. It must suffice to say that by the autumn of 1923 the Government had succeeded in restoring order throughout the country. The Republican resistance was brought to an end very soon after Mr. de Valera instructed his followers to place their arms and ammunition in concealment until an opportunity for their use had returned. The drastic powers of arrest upon suspicion which the Government had obtained from the Dáil during the civil war were no longer enforced, and the prisoners in internment camps were gradually released. But the menace of a possible renewal of civil war persisted so long as the Republican deputies refused to take their seats in the Dáil, and a large standing army was kept in existence to reinforce the authority of the unarmed Civic Guard. Before long, however, all hope of a recourse to arms had been abandoned by the majority of the Irish Republican Army, and many of them began to emigrate. Occasional sporadic

outrages directed against the authority of the Free State still occurred from time to time and compelled the Government to continue its policy of guarding against all possible risks of organised attack.

In November 1926, the simultaneous occurrence of a number of raids upon barracks of the Civic Guard in five counties produced a situation in which the Government felt it necessary to demand immediate powers for the preservation of public safety, and Mr. Cosgrave introduced a Public Safety (Emergency Powers) Bill. It was opposed even on its first reading by the Labour Party, on the ground that the Government already possessed ample powers for dealing with disturbances or murder and robberies. But the Government rushed its legislation, which was intended chiefly to have a deterrent effect, through the Dáil. Mr. Cosgrave explained that the Act was intended to be a permanent one, but it would be put into operation only in times of emergency and after a formal proclamation had been issued by the Executive Council. Mr. Johnson opposed the Bill vehemently on the ground that it presupposed that insurrectionary movements were going to be part of the normal life of the country, but the Bill was passed through all stages on the following day. Within a month, however, Kevin O'Higgins announced that the fifty persons who had been interned under the Act had all been released, ' because, in the opinion of the Executive Council, a situation does not exist which would warrant the continued detention of persons against whom it has not been found possible to formulate any charge.' The occasion of the Act, he explained, had been no more serious than the simultaneous raids carried out upon five or six barracks of the Civic Guard ; but if there was any recurrence of such outrages he held that ' It would be the duty of the Dáil to recognise that there existed in the country an unlawful military

organisation challenging the peace, stability, prosperity, and good name of the country.' Only a few months later, in introducing the Budget of 1927 into the fourth Dáil, Mr. Blythe announced that the Government no longer considered that conditions required the upkeep of a large standing army, and that it was intended within the following financial year to reorganise the army on a new basis, depending chiefly upon a trained reserve. The general elections a few months later produced a new Dáil in which the Government found it impossible to govern without a fresh appeal to the country before long, and the reorganisation of the army had to be postponed.

Then suddenly the assassination of Kevin O'Higgins, whom the extreme Republicans had always regarded with special hatred, because of his part in the executions during the civil war, transformed the whole situation. Mr. Cosgrave, treating his murder as part of a deliberate attack upon the State, decided to ask the Dáil to proclaim a state of emergency at once, and to pass a Public Safety Bill which conferred almost unlimited powers upon the Government. In his speech in introducing the Bill, Mr. Cosgrave gave a full account of the Government's discoveries in connection with the secret military organisations which were still known to exist, in spite of their definite repudiation of the leadership of the Republican deputies. His speech was largely occupied with a comprehensive and consecutive narrative of developments since 1923 ; and the facts, as ascertained by the Government's secret service, cannot be more clearly summarised than in Mr. Cosgrave's own words.

'The attack on the State,' he declared, 'and the challenge to its institutions which occupied a large part of the year 1922 and 1923, were undoubtedly largely the enterprise of a body of men who had banded themselves together, at least in a loose kind

of way, in a military organisation with a definite headquarters control of a military character, subject, nominally at least, to the alleged political control of those members of the Dáil who, having voted against the acceptance of the Treaty in January 1922, formed themselves into an irresponsible political group. This political group appears to have had sufficient influence with the main body of irregulars to induce them to cease armed activities in May 1923. By that date the National Forces had quelled the revolution to such an extent as to induce the leaders to abandon further armed activities. There was, however, never any surrender of arms, and there remained throughout the country numbers of irresponsible youths, who, whilst dumping their arms, still regarded themselves as attached to companies, battalions and brigades of an irregular army organisation.

'In the year 1924 efforts were made to reorganise the broken forces of the irregular army, and paid organisers went round the country endeavouring to stir up revolutionary enthusiasm, inspecting dumps of arms, and enjoining the irregulars to train themselves in military duties. Pseudo courts-martial were set up to try various internees and others for having recognised the Government of the country by signing forms of undertaking, surrendering arms, giving bail, etc., and various persons, including some very prominent irregulars, were expelled from the irregular army organisation as a result. The headquarters staff and others were paid a weekly wage for their work.'

In Roebuck House, Dublin, where many of the activities were carried on, papers were captured by the police in August 1925, which indicated who was Chief of Staff, Adjutant-General, etc. The papers also indicated that efforts were then being made to purchase artillery in Germany and rifles in Italy and France. About the same time, the whole intelligence

records of the irregular forces were captured; and a so-called Director of Intelligence was arrested, tried and sentenced to one year's imprisonment. A very elaborate office with records was discovered in the Midlands, and a person known as the O.C. Midland Division of the irregular army organisation was arrested. The organisation also extended its activities to Northern Ireland and a Belfast battalion existed. The irregular army organisation was nominally under the control of Mr. de Valera, who was then regarded as the President of the Irish Republic, Mr. Sean Lemass being Minister for Defence and Mr. Frank Aiken Chief of Staff. At that time, Mr. Cosgrave explained, the organisation might be said to have been merely potential in its danger to the State; the gentlemen mentioned appeared to have been able to maintain some degree of control, and having half-surrendered in May 1923, did not deem it expedient to embark on any armed attack on a big scale. There was reason to suppose that certain elements of the organisation were anxious to establish some kind of secret society to control and direct policy. There was also reason to suppose that the more politically minded persons scented danger in such a departure, and as far as is known, were successful in preventing any such development.

Throughout 1925, the police seized large quantities of arms and ammunition and treasonable documents, and succeeded in making it difficult for the irregular organisation to carry out any unlawful enterprises. In November 1925, an important document was found on a prominent leader who was known as Quartermaster-General, from which it was clear that it was proposed to hold an 'Army Convention' of the irregular army organisation. Notices of motion for such a convention were given in the document, many of which showed that in the organisation there were

dangerous irresponsible elements. For example, one Brigade said that the irregular army could not be maintained if no policy other than that of constitutional agitation could be put forward ; another that the army should not be subject to any political party ; another that the 'Government' (meaning Mr. de Valera's party at the time) should not accept proposals affecting the independence of the country without the sanction of the then existing army council. Others advocated a *coup d'état ;* that the age limit for recruits should be reduced to 16 years ; that the irregular army should be empowered to deal effectively with any public representative who solicited the support of any section of Republican opinion in any compromise with any foreign usurping authority—usurping authority being, of course, intended to refer to the Free State Government. Others advocated the establishment of a fund for financing a revolution ; and that the organisation should get in touch with all revolutionary organisations within the British Empire with a view to joint action.

At the convention held on November 14th, 1925, the constitution of the irregular army organisation was completely altered. The army withdrew its allegiance from the 'Government' of Mr. de Valera and his colleagues, and an Army Council was set up. At that stage the irregular army, which had carried on the civil war under Mr. de Valera's directions and had remained nominally under his direction up to the end of 1925, cut itself adrift from all control of anybody who pretended to represent politically any section of the electorate ; and the various motions of a violent and revolutionary character, were referred to the Army Council for decision without any comment from the Convention. Mr. Cosgrave had obtained a copy of the Irregular Constitution agreed to on this occasion. It showed that membership was open to anybody over

the age of 16 who accepted the objects. Those objects were to be secured by force of arms and military organisation. An Army Council was constituted, and the names of its first members were known. The irregular organisation subsequently appeared to have drifted away completely from Mr. de Valera. Amongst its various activities were the rescue of prisoners from Mountjoy Jail, armed attacks on police stations, firing on police patrols, firing on military patrols, blowing up picture theatres and robbing banks. For example, at Ballinamore, where one of the raiders was shot by the police in a bank robbery, the raider was identified as a member of the irregular organisation. In Cork, a trap-mine was laid to murder members of the police force; and attempts were made to intimidate jurors. The 'O.C.' of the Midland division who had been captured in Dunboden House was amongst the prisoners rescued in Mountjoy, and was later found in London with 16 revolvers in a suit-case. Armed raids on money-lenders were carried out in Dublin, Limerick and other centres. The leaders in each case produced what they called official authority from the I.R.A. In November 1926, a number of police stations were raided, and two policemen were murdered. An irregular paper published what they called an official statement, in which the irregular army organisation accepted responsibility for the raids.

Many other indisputable proofs, Mr. Cosgrave continued, showed the existence of an organisation with revolutionary objects to be achieved by force of arms, which grew out of Mr. de Valera's civil war, but at a certain stage cut aloof from his control and direction. The split in the Sinn Féin organisation which gave rise to the formation of the new Fianna Fáil party, seemed to have had repercussions upon this dictatorial irregular army organisation. The Army Council, however, despite their previous breakaway

from political affiliations, seemed to have formed the opinion that the split in the Sinn Féin organisation was something that should be avoided, and appeared to have taken on themselves the rôle of peacemakers ; but their efforts to secure co-operation between the various Republican elements failed. By May 1927, the irregulars had finally broken with all political affiliations, following on the rejection of their overtures for co-operation between themselves, Sinn Féin and Fianna Fáil.

In view of the evidence that the irregular forces had thus cut adrift from any further control by Mr. de Valera and his political allies, Mr. Cosgrave told the Dáil that it had become clear that only the most irresponsible and dangerous members of the old organisation now persisted in the effort to maintain a revolutionary armed force. The irregulars officially repudiated any responsibility for the murder of Kevin O'Higgins ; but there was no doubt that one section of them had been responsible for it. The Government decided to introduce a more drastic legislation than was previously available which would give power during the next five years to strike suddenly whenever there was clear suspicion of complicity in such conspiracies.

So the Public Safety Bill was introduced in July and rushed quickly through all its stages, and various arrests under it were immediately carried out ; though only one of the suspects was detained after the preliminary investigation. The Act gave most drastic and far-reaching powers to the Government. It enabled the Executive to declare associations advocating or suggesting violence to be unlawful, and to make membership of such associations criminal and punishable as such. Possession of documents relating to unlawful associations was made a criminal offence, and was taken to imply membership of such associa-

tions, punishable accordingly, unless the contrary was proved. To deal with persons under 16 who were being educated in violence, a special place of detention was to be established where such persons might be kept for a period not longer than one year, and the parents and guardians of such offenders would be held responsible. It was made an offence to publish any matter concerning associations which had been duly declared unlawful, and printers of such documents were liable to have their printing machinery forfeited. Newspapers or other periodicals might be suppressed on an order from the High Court; and power was taken to prohibit the importation of newspapers of a dangerous character. Power was also taken for the expulsion of dangerous persons; and also for the detention of persons pending the investigations of serious crime. To deal with insults to State authority by those who refused to recognise the authority of the court, such refusal was made a crime in itself. Persons found guilty of offences under either the Treasonable Offences Act or the Public Safety Act were also made ineligible for employment under, or pensions from, certain public authorities. Power was taken also to set up a special court which, at the option of the Executive Council, would be a military court. Those powers, the Government explained by way of warning, would be invoked if secret organisations continued their plan of violence or if any attempts were made to interfere with the ordinary courts. Under such special courts the death penalty would be imposed for treason or murder, and might be imposed for the unlawful possession of firearms.

Drastic as the Bill was, the Government claimed that it was 'the minimum that any Government entrusted with the responsibility of maintaining the State or pursuing the public peace or security could ask for.' Mr. Cosgrave hotly denied that it was

panic legislation; and in spite of intense opposition both from the Labour Party, which contended that it would only inflame new passions of hatred, and from Captain Redmond's National League, which urged that the Government was only ignoring the lessons of failure to be drawn from every attempt at coercive repression against political organisations in Ireland, the Bill passed its readings within a very short time. The Government showed great firmness and determination in pushing the legislation through. It met the Labour Party's criticisms by arguing that its attitude implied that the Government must sacrifice the lives of as many Ministers as possible in order to rally public sympathy to its side. And its answer to Captain Redmond's criticism involved the whole question of whether a democratic Irish Government could hope to succeed in suppressing anarchy by its appeal to the moral support of national sentiment. British Governments always had national feeling ranged against them in every attempt to deal severely with any Irish political movement, and the attempt by an Irish Government to restore order was a totally different matter.

But the powers which the Government assumed went far beyond anything that had been attempted even in the most drastic Coercion Acts of the British administration. The *Irish Independent*, which was generally a strong supporter of the Government, described it as 'a far-reaching measure which entrusts the Executive Council with immense powers, far in excess of any previously passed in or for this country. It abrogates important Articles of the Constitution, suspends the operation of the civil courts in certain cases, and imposes a whole series of penalties of exceptional severity.' The *Manchester Guardian* was horrified by the lengths to which Mr. Cosgrave had decided to go. Its political correspondent declared

that 'all men with an interest in public affairs are already alarmed by the dangerous, provocative, and unnecessary nature of these Safety Bill provisions'; and the *Times* summed up the situation quite accurately by saying that 'Mr. Cosgrave has plumped for a good thumping Coercion Act which would have brought a blush to the cheek of "Buckshot" Forster or "Bloody" Balfour.'

The effects of this drastic legislation transformed the whole political situation and compelled the Republican deputies to enter the Dáil at last. Their entry into the Dáil removed the chief threat to the stability of the State; and in the rapid developments which followed, the political results were so far-reaching that the Public Safety Bill itself was almost forgotten. Actually the Government only used its powers under the Bill to detain one suspect.[1] Mr. Seán MacBride, whose father was one of the leaders executed after the 1916 Rising, and whose mother is widely known under her own name as Maud Gonne, had been notoriously implicated in the military activities of the extreme Republicans, and he was arrested on suspicion and charged with being involved in a conspiracy to murder the Vice-President. But no evidence could be brought against him. After a prolonged investigation the Government was satisfied that he had not been in Ireland on the day of the assassination, and in November 1927 he was liberated. But the Act still remains on the statute book of the Free State, notwithstanding the determined efforts

[1] In February 1928, the Act was again enforced against two middle-aged ladies who were charged with distributing leaflets inciting to murder the new Governor-General. They refused either to recognise the court or to give their names—thereby incurring such drastic penalties that the jury refused to convict. Another prosecution under the Act shortly afterwards had a similar result, which suggests that the Government have defeated their own object by excessively rigorous legislation.

made by Mr. de Valera to obtain its repeal, very soon after the sixth Dáil met in October. In a debate on the second reading of his Bill for its repeal, Mr. Cosgrave agreed to compromise by limiting the period of its operation to the end of 1929; and the Government's amendment was thus passed by 77 votes to 71, even though some of the independent deputies voted with Mr. de Valera in demanding the repeal of the Act.

CHAPTER XI

THE NEW JUDICIARY AND POLICE

Lord Glenavy's Committee—The Sinn Féin courts—Reform of the judiciary—Women jurors—The Civic Guard—Reduction in numbers and expense—Their many duties—Freedom from crime—Prison closed down—Penal reform.

No question gave more ground for apprehension to the Southern Unionists at the outset of the new regime than the prospect of a complete reorganisation of the Irish legal system; and in no question did the new Government show more consideration for the rights and the feelings of the minority. Mr. Cosgrave's generous treatment of the Southern Unionists in the composition of the new Senate was rewarded by the active and loyal co-operation of some of their ablest representatives in the reorganisation of the judiciary. Lord Glenavy—formerly Sir Edward Carson's right-hand man in the campaign to defeat Home Rule—was immediately elected chairman of the Senate; and this gave a better opportunity to Mr. Cosgrave to invite him, as a former Lord Chancellor of Ireland, to act as chairman of the Committee that was appointed to advise upon the constitution of the new courts of justice. The main lines of the problem had been already defined in the Treaty, which provided that courts to be established by the Irish Parliament should comprise:

I. Courts of First Instance which shall include:

(*a*) A High Court invested with full original

jurisdiction in and power to determine all matters and questions, whether of law or fact, civil or criminal; and

(*b*) A Court of Final Appeal to be called the Supreme Court.

The Committee over which Lord Glenavy consented to preside included judges of long experience in the courts, and also several members who had acted with success in the so-called 'Sinn Féin' courts which had been set up under the first Dáil during Sir Hamar Greenwood's administration. It included also representative barristers and solicitors, and the President of the Chamber of Commerce. That a body which thus mixed the traditional legal profession with members of the Sinn Féin courts should have produced a completely unanimous report under Lord Glenavy's chairmanship, was one of the most dramatic and most encouraging events of the Free State's beginnings. Mr. Cosgrave took immediate advantage of the spirit of confidence and co-operation that the report had created, by framing his Courts of Justice Bill exactly on the lines of the Commission's report. The Government, he said, in asking the Dáil to give an immediate passage to the Bill, 'considered it very important to have National Courts of Justice in existence at the earliest possible moment, in order that the people may have the most complete confidence in the administration of the law, and may be thereby led to respect for the law which previously existing circumstances did not inspire.' In writing to each member of this Committee before its first meeting, Mr. Cosgrave had asked them particularly to approach the whole subject 'untrammelled by any regard to any of the existing systems in this country; to examine the nature and classification of the legal business, both contentious and non-contentious, for the due discharge of which, in the interests of justice, machinery

and establishment should be provided by the State; and to consider and report upon the requirements of the litigants and other persons interested, and especially as to accessibility, efficiency, expedition and cost.' Among the questions particularly recommended to their attention were the centralisation or decentralisation of the courts, the number and grades of judges and judicial persons and officials, and their respective qualifications for office and manner of selection, and also the method of trial by jury.

However little sympathy the former Unionists among the Committee might feel for the Sinn Féin courts which had challenged the authority of the British courts in the years before the truce, there was no denying that they had met with a surprising measure of success. Small disputes had been settled by them with very little delay or expense, on general principles of equity and common-sense; and these illegal courts had commanded a growing popularity in the country. Their experience was extensive enough to reveal real shortcomings in the old legal system, and Lord Glenavy's Committee gave full weight to the objections to the old system which were raised on the strength of this recent experience. The new judicial system which resulted from the Committee's report, was thus brought into better conformity with modern requirements. The leading features of the Bill, Mr. Cosgrave explained, were that it provided for expeditious and economical disposal of legal business, and that it enabled litigants to have all ordinary business settled in the local courts. In future, actions involving any sum not exceeding £300 would be decided in the local courts, and litigants would be spared the heavy expense of coming themselves, and bringing their witnesses, to Dublin. An innovation which was directly derived from the experience of the Sinn Féin courts was the introduc-

tion of the Circuit Court. For the minor courts, the old Resident Magistrates were replaced by District Justices, before whom demands for the payment of small debts could be brought.

Finally, the Court of Appeal was to be the supreme authority in all questions affecting the rights of citizens of the Free State. The Government has, in fact, insisted very strongly on this last point, when the authority of the Court of Appeal was challenged a few years ago by the admission of a case for hearing by the Judicial Committee of the Privy Council. The Government's successful insistence upon the supreme rights of the Irish courts in this matter has been described in an earlier chapter of this book. The debates in the Senate, as well as in the Dáil, on the matter showed how fully the national feeling in regard to the supremacy of the Irish courts had grown. This unanimity was the more remarkable because Mr. Cosgrave had shown a complete indifference to the political opinions of the distinguished members of the Irish bar whom he appointed to replace the senior judges of the former courts—who in most cases took advantage of their opportunity, created by the Treaty, of retiring with very large pensions. But it would be unjust to suggest that all the judges of the older regime declined to assist the Free State with their experience in its early difficulties. A special tribute is due to Sir Thomas Moloney, who was Lord Chief Justice when the Free State came into existence. He held that position when the Four Courts were forcibly occupied by the Irregular forces under Rory O'Connor ; and when the work of the Dublin Courts had to be transferred to the buildings of the King's Inns. Confidence was utterly shaken during those momentous days, and it looked as though anarchy was to gain control. But the firmness and dignity of the Lord Chief Justice, when he established his own

court at the end of a large room and allotted their respective places to the other courts, did as much as anything else to restore a sense of security. And his personal example in arriving punctually at his work, regardless of all threats of assassination, did as much as that of any man to strengthen the morale of the country.

A more recent development in connection with the Irish courts demands notice. It was decided at first that women as well as men should be everywhere liable to service on juries, and the feminists insisted strongly on this point. But experience soon showed that the vast majority of women made some sort of excuse to obtain exemption; and the desire of most women to be exempted was so generally manifested that the Government's Act of 1924 gave the right to all women jurors to have their names withdrawn from the register. The great majority of women jurors, nearly 90 per cent. of them, availed themselves of this opportunity; and the Government then found that the existing system involved a great deal of unnecessary administrative expense. The complete list of women jurors who still remained on the register had to be compiled in each district, and many of them were still found to be unwilling to serve, but to have neglected to notify the authorities of their wish to be withdrawn from the register. It was impressed upon all women jurors that they need only plead illness of any kind to be exempted, if they did not wish to serve, and many of them did invariably claim exemption on such grounds. In February 1927, Mr. O'Higgins introduced a Bill to put an end to these unsatisfactory conditions by abolishing jury service for women altogether. The Government, he said, took the view that 'the women juror presents difficulties that make the service that one could secure thereby not administratively worth while. The State asks to be dispensed

from the task of vetting and sifting the innumerable grounds for exemption that may be pleaded by women, grounds more numerous, more intricate and more compelling than can be devised by the most subtle male shirker. The position of the normal male citizen eligible for jury service,' declared Mr. O'Higgins, ' is essentially different from the position of the woman citizen.' But the Government's Bill met with strong opposition on principle, and it was amended so as to leave the right to serve on juries still open to women if they wished to have their names entered on the register. Mr. O'Higgins accepted the amendment ' with the minimum of enthusiasm,' declaring in general that the Government ' begged leave to be excused from the task of dragooning their unwilling sisters up and down the country into the jury box. They had too many other difficulties to attend to.'

One of the first decisions of the Provisional Government was to replace immediately the old Royal Irish Constabulary—which had for several years been on a military basis, recruited from the unemployed in Great Britain—with a new police force who were called the Civic Guard. It was decided that the new police should be unarmed, in contrast with the highly trained military tradition of the old R.I.C. ; and this decision—which was intended very largely as a demonstration that the Government relied on popular sympathy to strengthen the administration of their work—was adhered to, in spite of much adverse criticism, even when the civil war was at its height and the unarmed police were powerless to enforce the law in face of armed and organised disorder. The Government took the view that the suppression of armed anarchy must be left to the Army alone, and the Civic Guard have thus been deliberately kept apart from anything in the nature of political action. Their function has been to prevent ordinary crime, and to

report to the Government upon organisations or persons who were suspected of criminal intentions. In the civil war a great part of the most effective work in breaking up the Republican movements was done by the Secret Service of the new police, and this nucleus of a Criminal Investigation Department has developed into a highly efficient detective force. Under great and prolonged provocation the new Civic Guard faced their duties with remarkable courage and loyalty; and the suppression of the widespread lawlessness that followed upon the civil war is mainly due to their activities and their endeavours to win the confidence of the people. In recent years they have become generally recognised as an indispensable protection to the people; and evidence of the regard which they have won is shown by the steadily increasing supply of information they have received as to the location of dumps of arms and ammunition which had been concealed by the Irish Republican Army.

Their duties are by no means confined to the detection and prevention of crime, and in fact they are required to perform a number of public services which demand a fairly high standard of intelligence and education, as well as of character and integrity. The old R.I.C., with its semi-military organisation, placed a ridiculously heavy burden on the Irish finances, for the police force was far more numerous in proportion to the people than in either England or Scotland (where town conditions require a larger body of police), and its military equipment and training was a further source of expense. In more recent years the British administration had begun to entrust other duties to the R.I.C., but the number of these miscellaneous duties has been greatly increased under the Free State. Even so, the new Civic Guard is a less numerous and a less expensive body. Mr. O'Higgins, in moving the Vote for the Civic Guard

in 1926, gave some interesting comparisons with the former system. The total authorised strength of the Civic Guard is about 7,000, excluding a detective branch of about 250 members. About 1,150 members of the force are allocated for duty in the Dublin Metropolitan area; and outside the Dublin area there are 850 police stations. Under the old system, which was to a large extent organised with a view to repressing the Land agitation, there were 1,110 police stations in the Free State area, outside the cities of Dublin and Cork and Limerick, and Mr. O'Higgins had reduced this number to 836. He had also reduced the strength of the new police to 5,250 outside the cities of Dublin, Cork and Limerick, as compared with 7,000 of the old R.I.C.

These figures are, in fact, considerably higher than what had been hoped when the Bill to constitute the Civic Guard was introduced in 1923. But experience proved that economies such as had been expected could not materialise. Below these figures Kevin O'Higgins did not believe, in 1926, that the strength of the Civic Guard could be reduced any further, in view of the increasing number of functions they were expected to perform. They are required, for instance, to distribute and collect the census forms; to collect agricultural statistics; to act as *ex-officio* inspectors under the Food and Drugs Act; as enumerators of emigrants; as detective agents to protect the Customs revenue by the prevention of smuggling; to protect the Excise revenue by preventing illicit distilling; and to make various enquiries for other Departments also. Since that time they also have been made responsible, under the School Attendance Act, for enforcing attendance at the primary schools. The Customs barrier along the boundaries of Northern Ireland alone requires the whole time work of 100 members of the force, and a smaller body has also

had to undertake special duties in connection with the Shannon scheme. Comparing the organisation of the Civic Guard with the old R.I.C. (excluding the north-eastern counties), Mr. O'Higgins showed that there were 25 Chief Superintendents, corresponding to the former 30 County Inspectors; 126 Superintendents against 163 District Inspectors; 31 Inspectors against 179 Head Constables; and 1,167 Sergeants against 1,587. To have reduced the strength of the country's police so substantially, while producing conditions of security within a few years of civil war, and at the same time creating a new spirit of real co-operation between the people and the police, was an amazing achievement for any Minister; and the Civic Guard is probably the most permanent achievement in the brilliant career of Kevin O'Higgins. He did not believe that there was much room for any further economy, but he was constantly concerned with the possibility of training them to perform new duties which would increase the efficiency of the whole administration; and he held that every such duty that they undertook made them all the more efficient as members of the country's police.

It was an inevitable result of the anarchy which developed under the Black and Tans, and intensified in the civil war, that a wave of crime should have swept over the country. The burning of houses and crimes of personal violence, which were at first committed on a political pretext, soon led to other crimes that were in fact inspired by personal revenge or cupidity; and looting and armed robbery were for a time prevalent. But the Civic Guard soon won the confidence of the people and obtained an amount of local assistance in detecting and punishing crime, which the old semi-military police could not count upon. In recent years, Ireland has been remarkably free from ordinary crime, as in the past; and the

modern methods of dealing with criminals have, in the Free State as in other countries, enabled the Government to close down a number of the old prisons. Serious crimes in Ireland have for many years been almost exclusively concerned with politics, and under the new conditions, with a police force which commands popular confidence instead of being a symbol of foreign government, the absence of crime has been most remarkable, and in tragic contrast with the ghastly isolated murder of Kevin O'Higgins. In the ten years before the war the statistics of 'habitual criminals at large' (in the official sense of a person who engages habitually in crime as his means, or part of his means, of livelihood) enumerated by the police showed a total of only 160 for Ireland, apart from 'Ulster,' as against 4,000 in England and Wales. There were only 12 in all Connacht, and in Munster 68. Crimes of personal violence, apart from political outrages in connection with the land agitation, were almost unknown.

Mr. Fitzgerald Kenney, K.C., who has succeeded Kevin O'Higgins as Minister for Justice, dealt with the facts in an interview in November 1927, soon after he assumed office. The average prison population during October, he showed, was only 700, of whom 590 were men. Even during 1925, when order had not been restored as securely as it has been since, there were only 70 sentenced to penal servitude. Some 2,150 males and 1,050 females were sentenced to terms of imprisonment; three-fourths of them for terms not exceeding three months. In 1926, the number of sentences were very considerably fewer. The largest class of offences was drunkenness, which led to some 750 sentences. There were less than 700 offences against property without violence, and only 290 offences against property with violence, and 360 offences of all sorts against the person. As compared

with 1914 (a most peaceful year in Ireland), when the gaols had 1,350 prisoners, the Free State now has barely more than half that number. Only eight prisons have been kept open, one of them (in Dundalk), being reserved only for prisoners on remand and for those sentenced to not more than 7 days. Two prisons, one in Kilkenny and one in Cork, have been closed down since the Free State was established. This change, as in Great Britain, is, of course, largely the result of the Act of 1914, which gave more scope for the payment of fines in lieu of imprisonment.

Maryborough is now practically the only prison for convicts in Ireland. The new Minister for Justice describes it as 'a well-constructed modern building with plenty of light and air, and the cells are centrally heated. The prisoners have comfortable beds, and the entire prison is kept scrupulously clean.' It has a considerable farm under tillage, which provides occupation for a good many of the convicts and gives them a practical training as agricultural labourers. Mr. Fitzgerald Kenney explained an important point in saying that most of the convicts came from the town population and would find difficulty in obtaining work if they returned to life in the towns. Training in agricultural labour was, he believed, the best solution for their problem, and he suggested that the Government will develop this policy further. For the less serious form of crime, the tendency has been, as in most countries, for the courts to inflict punishment by fines instead of imprisonment; and in the matter of probation work and of special attention to young offenders, the Free State has many willing helpers for such social work.

CHAPTER XII

THE IRISH ARMY

Its small dimensions—What is its purpose?—Criticisms by the Farmers' Party—Mr. Johnson's pacifism—An Annual Army Bill—Proposals for a militia—Prospects of an invasion—Imperial defence—National sovereignty—Kevin O'Higgins on common interests with Great Britain—Attitude of Republican Party.

It was for a long time a constant joke against the Free State, in Ireland as well as outside it, that so many of the very young men who had become prominent in the Sinn Féin agitation had received the military title of General, and retained it when they entered political life. Those conditions have long passed, and it is not widely known that the total present strength of the Army in the Free State, including all its branches, is considerably smaller than that of a single Division in the British Army. Its size was, of course, greatly inflated by the necessities of the civil war; but demobilisation was carried out very quickly after peace was restored, and the Government has had to face great unpopularity since, by its inability to provide alternative employment for those who had enlisted in defence of the Free State. In 1922-23, the Army Estimates were approximately £7,000,000. In the following year, owing to the civil war, they rose to £10,700,000; but in 1924-25, the Estimate was only £4,000,000 and actually £1,000,000 of the Estimate was saved in that year. The Army was officially constituted in 1922, and in the civil war its

total strength reached the maximum figure of 55,000 men ; but after settled conditions were restored, it was reorganised on a peace basis with technical corps of various kinds, and with the addition of a small Air Force. By the spring of 1926, the total strength of the Army had been reduced to 12,500 n.c.o.'s and men and 1064 officers—which was less by 14 officers and about 4,000 other ranks than in the previous year. The Estimate for the Army had also been reduced by £577,000 since the previous year to a figure of £1,625,000.

On that basis the Dáil had to consider whether an army of such small dimensions was of any value whatever, especially as further economies were contemplated ; and an illuminating debate took place in which the whole problem was discussed. Mr. Hughes, as Minister for Defence, in introducing the Army Estimates in April 1926, anticipated criticism regarding the obviously large proportion of officers to other ranks. There could be no real basis of comparison, he said, between an army which had existed only four years and those of long standing. Officers desiring to resign and return to civil life would be allowed to do so with the grant of one full year's pay and allowance. The reduction in the n.c.o.'s and men, he explained, had been made possible by the creation of the Reserve, which was to be composed of fully trained soldiers of exemplary character who had completed their period of service with the Forces. They were to be paid 9d. a day while on the Reserve, and would be subject to annual training for a period of 21 days, during which they would be paid at nominal Army rates. A start was also being made with the formation of a Cadet Corps. Officers would in future be selected either by promotion from the ranks or from cadets. Provision was being made for sending a number of officers to the United States military colleges, so that

there should be a nucleus of officers to take up work in the Irish Military College when it commenced to function. Dealing with the Air Force, Mr. Hughes said it was the policy of the Government that an Air Service, however small, should be in existence, since it was an essential part of every existing Army. It was not contemplated, however, that their Air Force should ever be very large. Apart from the purely military value of the Air Service, civil aviation was now a permanent feature in most countries, and must eventually be developed in the Free State.

Stating the general policy of the Government in regard to the maintenance of a standing Army, Mr. Hughes declared that ' the organisation of our defence forces should in the first place be such that it would be capable of rapid and efficient expansion in time of need to the maximum strength of the country's manpower. This will necessitate the training of all ranks in duties of a more advanced nature than those normally associated with each rank. The Army must be an independent national force, so organised, trained and equipped as to render it capable, should the necessity arise, of assuming responsibility for the defence of the territory of the Saorstát against invasion or internal disruptive agencies or against violation of neutrality on the part of an enemy. I might add to that exposition of policy, that in times such as we are happily experiencing now, there is a distinct tendency to overlook the necessity for the maintenance of a force in this country trained in arms and ready to repel attack. I may also add that the internal situation in the country does not yet justify the substitution of the Army, as it at present exists, for something in the nature of a militia force.'

Strong criticism of the Government's policy was forthcoming from various quarters on opposite grounds ; whether because the Army was too small

to be of any real value as an army in time of war, or because it was considered excessively large if its real object was to reinforce the police. Mr. Heffernan, speaking for the Farmers' Party, boldly moved a reduction of the Vote to about one-fifth of the Government's demand, urging that an army of 5,000 men would be the maximum justified by their requirements. He asked whether the Army was intended mainly for the purpose of maintaining internal order, or to act as an insurance against a future outbreak of civil strife? Or was it being retained as a defence force against possible invasion? He believed the possibility of a further outbreak of civil strife was a remote contingency, and argued that, for protection against invasion, an army of a few thousand men would be as likely as an army of 13,000 men to prove effective. He thought that in defence from outside attack they would have to depend, as they were part of the British Commonwealth of Nations, on the defence given by the British Fleet and the British Air Force and anti-aircraft forces. To attempt, with the very limited resources at their disposal, to maintain an Army which would by any possibility be able to cope with outside attacks seemed to him futile and hopeless. Mr. Hewat, one of the Dublin business representatives, declared that the Army in its present size was an extravagance which they could not afford, and that a general reduction in the permanent Army should be faced as one of the necessities of the times.

Mr. Johnson, explaining the strong feelings of the Labour Party on the matter, criticised the Army policy of the Government very severely; and was particularly apprehensive of the suggestion made by the Minister for Defence that the Army was to be backed by a Reserve so large as by rapid extension to include the whole man-power of the country—which implied that the Government contemplated training the whole

manhood of the State to the use of arms. If, he argued, the Army was intended to repel invasion, why was there no talk of anti-aircraft guns and rapid mobility? He was himself very much of the opinion of the Social Democrats in charge of the Government in Denmark, who had been advocating and pursuing a policy of disarmament, believing that the forces they could raise to repel an invader would be practically useless in modern warfare. But he thought, on the other hand, that there was such a thing as putting an impediment in the way of the invader, and that having a manhood trained to rally to a call in case of invasion was justifiable. He thought the Minister's whole scheme unbalanced, and he was driven to the conclusion that what was intended was that the Army should be for subduing armed revolt. He did not think the risks of armed revolt were great enough to justify the retention of so large an Army, and the Ministry ought to have the men who were not required for military work. What were they really aiming at in respect of the Reserve? The Minister's policy was self-contradictory, because while talking of preparing to repel invasion it was absolutely lacking in preparations that were likely to be effective.

Mr. Cosgrave's own contribution to the debate summed up the whole problem in a sense which probably represented the attitude of the majority of people in the Free State. The Estimates, he declared, had been framed in the light of all the circumstances existing and in the light of their experience of the past few years. He had no fear of any outbreak—none whatever. This Estimate was one of the things that gave him confidence in relation to such possibilities. While he had the greatest respect for the efficiency and the services of the Civic Guard, it would not be possible for them to be unarmed if it were not for the Army Estimate.

But a continued sense of dissatisfaction with this provisional character of so small an Army, which nevertheless involved so large a drain upon the national finances, was apparent when in the following February of 1927, Mr. Hughes asked the Dáil to renew the Defence Force Act for another year. He tried to forestall criticism by explaining that the Government had been in no hurry to make the Act permanent. They were, he said, gaining a certain amount of knowledge every year, and he thought it all to the good that they should take a reasonable amount of time to see how the Army worked out and what provisions they would really want to insert in the permanent Bill. But Mr. Grattan Esmonde, a supporter of the Government who has held very independent views, complained that, whereas all the other Departments of State had been settled on a permanent basis, the Army was singled out for unfair treatment. Its servants were on a provisional and entirely unstable basis. They had no rights or prospects, and were liable to be turned out at any moment. The result of this policy was, he asserted, that the best of the non-commissioned officers of the Irish Army were clearing out and going to England. The National Army was becoming much the same as the medical schools in Dublin—an institution for training men for export at the expense of the Irish taxpayers. Arguing from a nationalist standpoint, he drew attention to the prospect of a conference between the Irish and the English Governments which was to take place on the question of external defence. As the Defence Conference was approaching, he thought they would feel more secure if there was a permanent Army Act on the Statute Book. They would feel more at ease, because one did not know, as things stood, whether the Minister for Defence returning from that conference might not have left the Irish Army behind.

'I do not know,' said Mr. Esmonde, very frankly, 'that there is any Party in this House who within the last few years have shown any particular pride or interest in the establishment of a permanent and efficient Army in the State. We are faced by the grandmotherly, or perhaps oldmaidish, pacificism of the Irish Labour Party. We are faced by the short-sighted provincialism and false economy of the Irish Farmers' Party. We are faced by the thinly disguised British Imperialism of the Business and Independent Party, and finally, where we might expect some defence, we are faced by the cynical or apparently cynical indifference of the Minister for Defence.'

Captain W. Redmond, who had served with great distinction in France with the Irish Guards, agreed from a very different angle, in complaining that no reason had been given for continuing the Army upon the same basis as the year before. He certainly did not suggest that the Army should be a permanent one. On the contrary, he thought that any Minister had to justify the bringing into existence of such a force for a time. He thought the time had come when the Minister responsible for the Army should give some indication to the Dáil and to the country as to whether this procedure of bringing in an annual Army Bill based on present lines was to be the future policy of the Government. Some time ago he had suggested that they should have something in the nature of a territorial force, and that for external protection their Army would be practically useless. An Army for internal purposes was a different question. He would be in favour of having a strong police force rather than a highly equipped and expensive National Army for internal purposes, and along with that something in the nature of a local territorial force which would be recruited, perhaps, county by county. He regarded

the present Army as a useless expenditure of a vast sum of public money.

Mr. Johnson, speaking for the Labour Party—and, with his English training, being a strong upholder of constitutional safeguards against the Executive—was all in favour of an annual Army Bill as in England, instead of having an Army permanently established. He considered the annual Army Bill to be the effective way of maintaining the constitutional superiority of the civilian population over the military. But he complained that he was 'still in the dark as to what the view of the Ministry is regarding the use to which the Army is to be put. Is the present structure fitted for anything else but the suppression of insurrections? Is that the primary purpose of the Army, or is it contemplated that it should be, in fact, a defence force—that is to say, a defence force against outside aggression? I cannot think it is. I think the utmost it could be expected to do, in its present form, would be to impede an invading force. It would not be able to do anything in the way of defence in view of modern military methods. . . . To oppose a defence force such as we have to any such attack would be like putting up an umbrella against a bomb. It would be utterly useless. Unless we are thinking of this force as a means whereby insurrection might be suppressed, we have got to consider the equipment of the Army on entirely different lines from the present equipment.'

Mr. Johnson went so far as to say that they would be much more secure against the attack of a modern army from outside if they had no army at all. He pressed the Minister for information in respect to the Imperial Defence Council. 'What are our liabilities,' he asked, 'if any, in respect of Imperial defence? What was the work of our representatives at he Imperial Conference in respect to Imperial defence? Were they there as interested observers, or as corre-

spondents of foreign States or of armies of belligerent countries, for reporting purposes? Or were they present as contributors to the discussion and with what end in view?' Referring to calls to British reservists in Ireland to enrol for service in China, he asked whether there was any connection between the Army in the Free State and the Army in London, or whether it was entirely a private agreement on the part of ex-British soldiers who were British reservists and the British Army authorities. That raised an interesting question as to whether there was any right on the part of the British Army authorities to call up a reservist who was a citizen of the Free State.

The Minister for Defence replied emphatically that 'the Irish Army is the Army of the Irish people and it has no connection whatever with the Army in London.' No arrangement had ever been contemplated or made at the Imperial Conference that non-commissioned officers should be transferred from the Irish to the British Army. 'The Army is being equipped and trained for the purpose of defending the country against any outside enemy and against internal aggression if such a thing should occur . . . I believe that we should not be sitting here to-day legislating for the country were it not for the Army.' He did not believe in a militia or a territorial system at the present time. A scheme was being formulated, he explained, and was almost in existence, by which men who joined the Army for a certain period might also join for a certain period in the Reserve. Money was voted for that purpose last year, and it would be formed before the end of the present year. With a proper Reserve to deal with the needs of the country, it would then be time enough to reduce the Army.

No debate on the Army could avoid touching closely upon the larger question of the Free State's position in regard to Imperial Defence; and Mr.

Desmond Fitzgerald, as Minister for External Affairs, made an important statement in reply to questions concerning the military representatives of the Free State who attended the Imperial Conference. 'I think their contribution mostly was listening,' he said. 'They were committed to no policy whatever, but it is undoubtedly in the interest of this country, in view of so powerful a neighbour so near, and our close relations, to have a general idea as to what the general defence policy of that country is. We need not blink the fact that it is quite possible, in the event of a general attack on these islands—it is perfectly obvious—our Army must co-operate with the British Army. It is practically inconceivable that our Army would ever be opposed to the British Army. But that our officers should go there to learn what they could in general about military matters, and of the scheme of defence which is in the mind of the Government and the military forces which in the event of a general attack on these islands would have the major share of the defence, was, I think, entirely desirable.'

A full debate on the question of the Free State's obligations in regard to Imperial Defence took place a few weeks later, on the Money Resolution for continuing the Defence Forces (Temporary Provisions) Bill, and Mr. Johnson made this statement by Mr. Fitzgerald the basis of a general criticism. He was quite prepared to welcome cordial co-operation between the Irish and the British Armies, but he repudiated any suggestion that this must necessitate a unified policy either for defence or in foreign relations. 'There is so much interdependence of foreign policy and defence policy,' he said, 'that I think the two must be taken together and thought of together. I refuse to believe that, in the British Commonwealth of Nations, the cordial co-operation of the nations constituting that association necessitates co-operation in external

policy.' Recalling the assurance by Ministers that, in so far as international affairs were concerned, they in the Free State had no responsibility for the act of any Government which was not the Free State Government, he asked what conceivable occasion could there be for attack upon the islands? Why should the Ministry assume the possibility of an attack on the islands? 'If we are not bound up with British foreign policy,' he declared, 'the chances of attack upon these islands are so dim that it is waste of money to be spending it upon means of defence against this kind of possibility. There is a possibility, of course, of war arising in some part of the world in which Great Britain is engaged, but if the Ministry's policy is to be maintained, we, at least, need not fear that we are going to be bound up in any warlike activities because of Britain's engagements in such wars. Consequently, it seems to me to be a very great mistake to be conceiving the possibility of attack on these islands as the basis of our defence policy.'

Mr. Fitzgerald replied that the Forces of the Free State were pre-eminently defence Forces. He did not think that war was governed by ethical rules; and from the point of view of maintaining their neutrality, it was a matter of making it worth while to other people. Any country which might contemplate the advantage or the disadvantage of using Ireland as a jumping-off ground against England would be moved much more by the fact that they would have to face a fairly substantial resistance there, than by any declaration of neutrality. Dealing with the possibility of an attack upon Ireland from outside, Mr. Fitzgerald continued: 'It seems to me that in providing defence we should take into account the case of a country aiming ultimately and pre-eminently at attacking Great Britain, but proposing to attack Ireland, not with a view of regarding Ireland as an

enemy but with the view of putting herself in a better position to attack Great Britain. Having gained our freedom, we should defend that freedom against any and every enemy, no matter what object they may have in invading this country. Therefore, I think the consideration of a defence policy between countries closely related, either geographically or by treaty or by other means, is not unheard of.'

General Mulcahy, who had been the Free State Minister for Defence during the civil war, until his resignation was forced upon him in connection with the mutiny in the spring of 1924, and who has since rejoined the Executive Council as Minister for Local Government, approached the question primarily from a nationalist standpoint. He held that the principal consideration must be the absolute necessity of safeguarding in every possible way the absolute sovereignty of the State from the point of defence, as from every other point of view. They would prejudice their national development—socially, politically, and every other way—if they agreed, or allowed themselves to be brought into the position of agreeing, that the geographical relation they had with Great Britain was going to cut across the track of their national outlook in any way.

Kevin O'Higgins, always a realist in politics and by this time tending to regard the Imperial connection as a primary asset of the Free State, pointed out that they in the Free State were lying close alongside a great Power, which some day might conceivably find itself in conflict with another great Power. If Great Britain should find herself challenged through the Irish Free State, would she wait until attacked on her own shores? Would she look on while the Irish Free State was invaded and occupied by an active force? 'Nobody believes that,' he said. 'I do not for one, and yet, for better or for worse, there is that

geographical propinquity, and from that there arise particular strategic relations. From that geographical propinquity there arises a certain interdependence, as we must all recognise, between the two countries. There is an interdependence for certain defensive purposes, for naval defence purposes, and the two countries are essentially a strategic unit. There is an interdependence for trade, and if the short trade route between the two countries is severed, or menaced, both countries are injuriously affected. There is need for hard thinking, and one would like to add, clear thinking, on the whole question. It is a complicated question, but one will not arrive at a just conclusion by ignoring any of the aspects that are, beyond question, there.' 'It will be for the Government of each country,' he concluded, 'according to the circumstances as it judges them, to decide at all times to what extent it is called upon to take action in recognition of that mutuality of interest.'

Professor Magennis, whose advanced nationalism had at this time made him the leader of a small group in the Dáil, described the speeches of Mr. O'Higgins and Mr. Fitzgerald as the most lamentable declarations they had heard. The whole spirit and atmosphere of the Imperial Conference, he complained, had been brought into the Dáil. How cynical it was to tell them about the geographical propinquity, as if they and all their people for centuries were not too painfully aware of that propinquity and what it cost them. Mr. O'Higgins, speaking of a war between Great Britain and the United States, calmly assumed that they were bound to be allies of Great Britain. What right had he or any Minister to deliver beforehand an undertaking like that?

It is difficult to say how the evolution of a new situation in the Dáil will affect the attitude of the Free State on this vital matter. Professor Magennis,

whose advanced nationalist theories were rather of a personal character, has since disappeared from the Dáil. Kevin O'Higgins, who had gone further than almost any other member of the Government in the direction of Imperial co-operation, is no longer there; and General Mulcahy, who has in some respects filled his vacant place in the Dáil, has decidedly more nationalist leanings. Mr. Johnson is out of the new Dáil, and the Labour Party, which he had very strongly impressed with his personal attitude of constitutional and pacific principles, is no longer leader of the official Opposition. Mr. de Valera and the Republicans must be expected to react strongly against any sort of *rapprochement* between the Irish and the British Armies; but the Republicans' attitude towards the Army is governed by very mixed feelings. Its sole function hitherto has been to force the Republicans into submission in the civil war, and subsequently to reinforce the police in coping with the menace of revolutionary Republicanism. If Mr. de Valera could obtain office he would of course obtain control of the Army, as the constitutional head of the Government; but the groups which might conceivably combine to place Mr. de Valera in office would by no means share his hostile views in regard to the British connection. The Farmers' Party who support Mr. Cosgrave, the great majority of Independent deputies, and also Captain Redmond's National League, have all practically urged that the Army should be abolished altogether as a useless expense. And since Mr. de Valera's chief appeal to the electorate is the programme of curtailing unnecessary expenditure, he could scarcely win much support for any policy of increasing the size of an Army which is already a very diminutive force, and least of all for employing it in ways that would tend towards a renewal of trouble. But Mr. de Valera's implacable and unlimited nationalism is

quite capable of contemplating such a programme; and it may be assumed that the prospect of his obtaining control of the Army will continue for some time to be one of the strongest deterrents for those who would otherwise be glad of a change of Government. In the meantime the officially proclaimed policy of the Republican Party is to replace the standing Army by a trained militia—the solution which Captain Redmond has urged for several years and which the Government has partially adopted already.

CHAPTER XIII

WORK OF THE DÁIL

The Fourth Dáil—The Speaker—Mr. Thomas Johnson—A survey of four years' work—Growth of good feeling among parties—Major Bryan Cooper's tribute—Traditions of the Chair—A decisive casting vote—Entry of the Republicans—A stormy atmosphere—Soothing effect of discussion.

RECKONING since the assembly of the first Sinn Féin Parliament summoned during the British administration in 1919, the Dáil which was elected in September 1927 is the sixth. Its predecessor, elected in June 1927, sat for less than three months, during which the assassination of Kevin O'Higgins compelled the Government to introduce legislation which forced the Republicans to take the oath of allegiance, in compliance with the Constitution, and to enter the Dáil. The immediate sequel of their entry into it was the unsuccessful attempt by the Labour Party and the National League, in alliance with the Republicans, to overthrow Mr. Cosgrave's Government. This resulted in the sudden dissolution of the Dáil during the recess, in the hope of ending the deadlock that had arisen.

It was during the fourth Dáil, which lasted from July 1923, to the late spring of 1927, that the main work of consolidating the new regime was done; and in those four years of strenuous public work it is astonishing how quickly the Dáil established a definite tradition of parliamentary life. Nearly all of its members were new to parliamentary work, and they

had started in an atmosphere of intense party bitterness, under conditions of great political insecurity. Only two deputies, who had each been elected as an Independent candidate for the same constituencies which they had represented under very different conditions in the past—Captain Redmond and Major Bryan Cooper—had had previous experience in the House of Commons at Westminster. The Ministers were all newcomers to parliamentary life; and the Speaker, upon whom the establishment of a general spirit of good humour and comradeship chiefly depended, was also without experience of his special task. No member of the Dáil has done more to create a genuine feeling of co-operation and to allay the old tradition of political discords. A young man, who had been a distinguished pupil of the old Royal University in the years immediately preceding the establishment of the National University of Ireland, Mr. Michael Hayes had been for several years lecturer in French in University College, Dublin. As a strong nationalist and an enthusiastic supporter of the Gaelic revival, he had become involved in the Sinn Féin agitation, and became one of the leading spirits in the movement among the students of the National University. He was elected to the Dáil as one of the National University deputies; and his personal popularity, combined with the fact that he spoke Irish fluently, gave him the indispensable qualifications among the few possible candidates for the Chairmanship of the Dáil. He had previously been a prominent member of the younger group drawn from the National University which had provided many of its ablest and most promising recruits to the Government Party. But since his appointment as Speaker of the Dáil, he has displayed an impartiality and an imperturbable good sense and a generous spirit of fair play, that have contributed perhaps more than any-

thing else to the harmonious work of the Dáil, and to the rapid growth of a sense of mutual respect among parties.

Next to the Speaker, the Dáil has probably owed most to Mr. Thomas Johnson during the years in which, as leader of the Labour Party, he filled the position of being leader of the official Opposition. As an English trade unionist, who had settled in Ireland and in time replaced Mr. Larkin and the late James Connolly as leader of the Irish Labour movement, he brought to the political development of the Free State that sense of respect for popularly elected governments, and of immense seriousness in public life, that is characteristic of the English 'moderate' trade union leader. It is hard to imagine that any Irishman could have filled the position in the same way. With an inherited respect for popular assemblies, and having been educated in the English constitutional labour agitation, he regarded the position of Leader of the Opposition as involving responsibilities scarcely less than those of the Prime Minister. The smallness of his own party and its absence of leaders who were capable of becoming Ministers, made it impossible to think of superseding the Government; and he very wisely made the most of his opportunities as Leader of the Opposition, by co-operating as far as possible while retaining his rôle as chief spokesman for the Government's critics. He had carried his own party solidly in support of the Treaty and of the Free State, and concentrated chiefly upon economic questions. But as a shrewd and meticulous critic of the Government in regard to large issues, such as the Army or external relations, and above all in regard to any attempt to tamper with the written constitution, he gave invaluable service to the Dáil. His official rôle enabled him to become the authoritative spokesman on any question that had aroused

strong public feeling; and the respect and gratitude which he earned by his hard work, his abilities and his admirable public spirit, enhanced very greatly the prestige of his Party so long as the Republicans refused to take their seats.

By the end of the fourth Dáil, in April 1927, the assembly had become so conscious of the vast improvement in the temper of its own debates, and of the great progress that had been made in its own work, that a number of very significant speeches were made on the eve of the dissolution. Mr. Cosgrave himself reviewed the work of its four years with expressions of real emotion. It was, he pointed out, the first Dáil which had met free from the preoccupations of military strife. During its four years of life it had liquidated the past by dealing with all the compensation claims that had arisen before the Anglo-Irish truce; and only 400 out of some 20,000 claims for compensation subsequent to the truce remained to be disposed of. It had passed 183 Public and 9 Private Acts, which had laid the foundation of the new State and had made a big contribution to Irish history. 'We finish this session,' he declared, 'much indebted to the members of the Dáil'; and he paid eloquent tribute to the very many and generous efforts to improve the Bills introduced; to the courtesy which had been the distinguishing characteristic of the fourth Dáil, and to the minute and careful examination of the Estimates. During the existence of the fourth Dáil, they 'had lived from a time fraught with the consciousness of danger to the period in which they had enjoyed the consciousness of peace.' Paying a special tribute to the Speaker, he contended that the Dáil 'had made an advance in parliamentary integrity when it decided that the holder of that office should be removed from the sphere of political controversy.'

Mr. Johnson, as Leader of the Opposition, followed

Mr. Cosgrave with a profession of his own beliefs which deserves to be recorded as evidence of the strong sense of public responsibility that had come to pervade the Dáil. 'We have' he said, 'a body of men and women—with the assistance of the Seanad—imposing many millions of taxation on the people, and we have spent it. For good or ill it is spent. The important feature, I think, is that a body of elected persons have been able to meet, to discuss and criticise legislative proposals, and when passed with all their defects, however imperfect, however wrong they may have been in the eyes of the Opposition, those proposals have become law, and the fiat goes forth and must be obeyed. The fact that we are a legislature, and that the will of the people, as expressed by the legislature, becomes effective in the country, throws upon those of us who are in positions of responsibility the obligation of realising how great a privilege we have enjoyed to act in this Chamber as the supreme authority in the nation. Perhaps in fifty years the people who are writing history will look back upon this period and say, "What a great time it was to have lived in!" The truth is that we are living in a history-making period—one might say at the beginning of a new epoch. It is of the most tremendous significance that the law and the government of the people of the country are being fashioned by an elected assembly whose will, once given expression to in statute, is made effective by the courts, and when necessary, by the powers of the State. That is a great thing to think of, and we must realise the immense privilege that has been accorded us to take part in this work.' He paid special tribute to the great amount of silent valuable work done by the staff of the Oireachtas.

'We have also made friends here,' Mr. Johnson continued in a memorable statement. 'Some of

us will not meet again in the Chamber for a year or two years, but we may meet in other places. We may have had our friendships and our quarrels, but I think it may be said quite freely and fairly that there has been general good feeling in the House. I think the character of the House is such that we can all look back on the four years as a period of friendliness and fellowship—acute differences, frequently violent opposition, but withal, a feeling of camaraderie and goodwill.'

Other party leaders joined in these expressions of a new sense of comradeship among those who had formerly been enemies; and one speech in particular deserves to be quoted. Major Bryan Cooper, who had been elected as a Unionist M.P. for South Dublin for a brief period before the war, had been among the first of the old Southern Unionists to become a candidate for service in the public life of the new State. As a former Unionist, and as an ex-soldier, he was almost a unique figure in the Dáil; but he had very quickly won a wide personal popularity, and he was one of the ablest and most conscientious deputies in debate on every important subject. Speaking with very real emotion, he said that they had in those four years done more than lay the foundations of the new State. They had put up the scaffolding and designed the architectural plan on which the edifice was to be built. Whatever builders came after them would find themselves provided with established precedents and traditions created by co-operation in that Dáil. Most of them had come together as strangers, inclined to that most persistent of their national maladies, suspicion. He recalled the time when the Opposition used to suspect the Government and used to watch very carefully to see that every member of the Government played the game. In the last two years they had not had occasion to do that. They had learned to

know and to respect each other, and while holding hard to their own opinions, they had learned to be friends. 'We stand by the side of the tomb of the fourth Dáil,' he concluded, 'and I for one cannot speak without emotion at the grave of an assembly where I have passed the four happiest years of my life. But I do think that the feelings of mutual respect which were born here will not die, but will be carried into our public life throughout the country for the good of the country.'

The Speaker himself in a few phrases set forth the ideals that had inspired his own conduct in the chair, and emphasised the special responsibilities of that Dáil in having to 'establish precedents, make conventions and create an atmosphere.' He insisted, in a brief speech which must always be a landmark in the evolution of the Irish Parliament, upon the necessity of establishing a correct parliamentary standard. 'If we want to judge our proceedings here,' he said, 'we must judge them by the proceedings in parliaments generally. It is sometimes forgotten that one of the main purposes of a parliament is to ensure the fullest freedom of debate. We have endeavoured to carry out that purpose here, and I think we have succeeded . . . We have had here vigorous discussions; we have had bitter denunciations; we have also had heated interchanges. But these things, in my judgement, are simply indications of a healthy life, and in spite of them we have had, as has been said already, between members of a House of different parties and divergent views extraordinarily good personal relationships.

'I have noted one thing which is, I think, quite remarkable,' the Speaker went on, 'and that is that deputies representing the same constituency, but of different parties, appear to be almost always in the utmost harmony. I have never had to preside over

any debate in which members from the same constituency endeavoured to score one off the other. That of itself is, I think, a great tribute to members of the Dáil.' It was largely because of this universal personal respect and affection for Mr. Hayes, as the first Speaker in the Free State Dáil, that an amendment of one of the provisions of the constitution was enacted in order to ensure that the Speaker should be able to count upon re-election[1] without having to face a political contest under the difficult and uncertain conditions connected with Proportional Representation.

On another occasion a very few months later, the Speaker was called upon to make a statement which established a highly important and significant precedent. Almost immediately after the Republicans had first entered the Dáil in August 1927, a vote of no confidence in the Government was moved by the Labour Party and seconded by Captain Redmond's National League, on the understanding that the Republicans would support it to secure Mr. Cosgrave's overthrow. The state of parties was so evenly balanced that when one of Captain Redmond's party, Alderman Jinks, unexpectedly retired from the House, the result showed an equal division of 71 votes for and 71 against Mr. Cosgrave's Government. The Constitution had provided for such a contingency by giving a casting vote to the Speaker of the Dáil, and Mr. Hayes had to exercise this right. As a member of the Government Party, it was assumed that he would vote for Mr. Cosgrave ; but Mr. Hayes refused to regard his own position as being that of an ordinary deputy. Before giving his decision he made a brief but important statement, explaining the reasons that had weighed with him in forming a conclusion, which establishes a highly important precedent for future holders of the position. 'In the first place,' said the

[1] See Chapter IX, pages 133-4.

Speaker, ' the vote of the Chair should, I think, always be given in such a way as to provide, if possible, that the House would have an opportunity for reviewing the decision arrived at. Secondly, the *status quo* should, if possible, be preserved. When it is not possible to vote on either of these principles, it would, of course, be necessary for the Chairman to vote on the merits of the proposal before the House, with or without any statement, as he might think fit. In this particular case a vote against the motion enables the Dáil to review its decision on a further occasion on a vote of no confidence, not necessarily identical in terms with the motion before the House this evening, but aiming at the same result, and of similar effect if carried. Further, in my judgement, a motion of no confidence in any Executive Council should be affirmed by a majority of deputies and not merely by the casting vote of the presiding officer of the House. I therefore vote against the motion.'

With the advent of the Republicans in the new Dáil, where they comprise one-third of the whole assembly, there has been a regrettable, but probably an inevitable, disturbance of the happy atmosphere that had been developing during four years of constant work and concentration upon public affairs. The parliamentary tradition is still in its early stages ; and the Republican deputies, who are all new to the work of the assembly, and who resent the charge that they have done nothing while the other parties have been shouldering their burdens, entered the Dáil with every intention of asserting themselves vigorously. Far from sharing the general respect and gratitude that other parties have felt towards the Speaker, they regard him as having saved Mr. Cosgrave from defeat by having given his casting vote against the vote of censure at the end of the last Dáil. Mr. Hayes can scarcely have foreseen how far-reaching the results of his action

would be in tiding the Government over that one day's debate. It enabled Mr. Cosgrave to precipitate a dissolution of the Dáil during the recess, and to appeal to the country at the shortest possible notice on issues that were favourable to his own party. The Republicans therefore regard the Speaker, even more than Alderman Jinks, as the man who saved the Government and thwarted their own plans at the last moment. Their personal hostility to him was shown in the very first debate of the new Dáil, when their spokesman, Mr. Séan O'Kelly, lost his temper suddenly and addressed deliberately insulting remarks to the Chair—referring to Mr. Cosgrave as 'your President.' The Speaker met the incident with remarkable moderation; and, insisting that such insinuations could not be tolerated in a debate, invited the deputy to table a motion if he had any definite complaint to make.

Other similar, if less flagrant, incidents have been frequent in the early debates of the new Dáil; but there is good reason to believe that a better temper will develop quickly as the Republican deputies find their feet and take part in the actual work of the assembly and its committees. But apart from the prevalence of interruptions and the exasperating digressions from the point under discussion, which have taxed the abilities and the coolness of the Speaker very severely, there has also been the inevitable tendency to introduce general debates which convert the Dáil into a platform for electioneering speeches, to the interruption of serious business. Mr. Johnson's defeat was a severe loss to the Dáil, and Mr. O'Connell and Mr. Morrissey, his successors in the leadership of the Labour Party, lack his ability in debate and, still more, his sense of parliamentary procedure. The discussion on Unemployment by way of a vote of censure upon the Government, which occupied most

of the Dáil's attention during the first weeks of October, became a series of rambling dissertations upon all manner of subjects, which led Mr. Patrick Hogan, the Minister for Agriculture, to say with justice that it appeared to be in order to treat anything as relevant to the debate. And at its conclusion Mr. Cosgrave announced, with an irritability that might be excused, in moving the adjournment over the week-end: 'I am assuming that this debate will close about 5 o'clock on that day and that the other two items for which I undertook to provide time—the items in which Deputy de Valera and Deputy Redmond are interested —will also be disposed of on that day, so that it will be possible for the Government to get some time for public business. We have had no time for public business this week.' But these protracted debates which occupied so much time in the new Dáil were soon shown to be anything but a waste of time. Mr. de Valera and his friends at first seemed determined to use every debate as an opportunity for discussing questions of principle about the Free State and the Republic, on which everything possible had been said years before. These long debates, however, soon proved that good feeling between the Republicans and other deputies was certain to grow quickly; and the Speaker, in his direction of the debates, gave a wide latitude to the Republican speakers which enabled them to express the feelings that had been smouldering in their bosoms for years.

CHAPTER XIV

THE SENATE

Its composition—Its renewal by stages—No power over Money Bills—Restricted powers of postponement—Platform for distinguished public men—Demand for inclusion in the Ministry—Objections by Kevin O'Higgins—Opposition of the Dáil—Functions of the two Houses—Resentment by the Senate—A heated debate—The Government's attitude—Demand for a Joint Committee to consider mutual relations—A helpful suggestion adopted.

By the terms of the Constitution itself, the Senate of the Free State has always been prevented from exercising any very active influence upon Irish political life; and the composition of its first membership, while including so many Irish men and women of very real distinction, did undoubtedly tend to create an impression that inclusion in it was intended to confer a mark of public honour rather than a right to legislative powers. And in time the development in the Dáil of a very strong sense of its own importance has produced a definite reluctance to allow any growth of legislative authority in the Upper House; even though the character of the Senate has changed very rapidly with the gradual disappearance of its older and more picturesque figures, who have been replaced by younger men, chosen in very keenly contested elections.

Article 30 of the Constitution prescribed the general character of the Senate by ordaining that the Senate 'shall be composed of citizens who shall be proposed on the grounds that they have done honour to the Nation by reason of useful public service or that

because of special qualifications or attainments they represent important aspects of the Nation's life.' The number of its members was fixed at sixty. To be eligible for inclusion in the Senate a citizen must have reached the age of thirty-five, and the normal term of office of each Senator was to be twelve years. Special provisions were made for the composition of the first Senate, which was to consist of thirty Senators nominated by the President of the Executive Council, 'who shall, in making such nominations, have special regard to the providing of representatives for groups and parties not then adequately represented in Dáil Eireann,' and of thirty to be elected by the Dáil voting on principles of Proportional Representation. Of the thirty nominated members, fifteen chosen by lot were to serve for twelve years, and the remainder for six years; while of those elected by the Dáil half were to sit for nine years and half for three years.

But apart from these special provisions the Senate was to be renewed by elections held every three years, at which one-fourth of the Senate was to be elected. The electorate was to be drawn from the whole of the Free State as one electoral area; and the fifteen vacancies were to be filled from a panel of forty-five candidates chosen by the Dáil and the Senate, in addition to any other former Senator who might wish to stand for re-election. Any occasional vacancies arising through death or resignation were to be filled by a vote of the Senate itself. Under these various provisions the Senate has already assumed a very different character to its original membership. Many vacancies have arisen through death or the retirement of older members, and the Senate has already become very largely a popularly elected assembly, into which admission can be gained only by a very keen contest among candidates who all have strong qualifications and claims upon the electorate.

In practice, few of its members take a consistently active part in its debates; but it has provided an invaluable platform, and given real scope for public service, particularly to various members of the old Southern Unionist group who have thrown in their lot unreservedly with the Free State. Mr. Andrew Jameson, the principal director of the famous firm of whisky distillers, has been one of the most useful and active members of the Assembly; and its Chairman, Lord Glenavy, who for many years, as Mr. J. H. Campbell, K.C., shared the representation of Dublin University with Lord Carson throughout the Unionist Campaign against the Home Rule Bill, has rendered untold services to the Government by his legal talents and his great natural aptitude for politics; while at the same time securing a very considerable influence for the Protestant minority which he specially represents. Several well-known members of the Irish peerage have also found plenty of scope and a congenial atmosphere in the Senate, particularly the late Lord Mayo and Lord Dunraven. And among other distinguished Irishmen who have made their mark in the Senate and have given a good deal of time to its debates, are Lieut.-General Sir Bryan Mahon and Major-General Hickie, who both commanded Irish Divisions during the war, and who have made themselves particularly the spokesmen of the Irish ex-service men.

In its legislative functions, however, the Senate has been severely handicapped by the Constitution itself. Article 35 deprives it of all authority over Money Bills—a Money Bill being defined as

'A Bill which contains only provisions dealing with all or any of the following subjects, namely: the imposition, repeal, remission, alteration or regulation of taxation; the imposition for the payment of debt or other financial purposes of charges on public moneys or the variation or

repeal of any such charges; supply; the appropriation, receipt, custody, issue or audit of accounts of public money; the raising or guarantee of any loss or the repayment thereof; subordinate matters incidental to the repayment thereof; subordinate matters incidental to those subjects or any of them. In this definition the expressions "taxation," "public money" and "loan" respectively do not include any taxation, money or loan raised by local authorities or bodies for local purposes.'

The Article continued:

'The Chairman of Dáil Eireann shall certify any Bill which in his opinion is a Money Bill to be a Money Bill, but, if within three days after a Bill has been passed by Dáil Eireann two-fifths of the members of either House by notice in writing addressed to the Chairman of the House of which they are members so require, the question whether the Bill is or is not a Money Bill shall be referred to a Committee of Privileges consisting of three members elected by each House with a Chairman who shall be the senior judge of the Supreme Court able and willing to act, and who, in the case of an equality of votes, but not otherwise, shall be entitled to vote. The decision of the Committee on the question shall be final and conclusive.'

With these large exceptions, the powers of the Senate are obviously very much limited; and even in regard to other Bills the most that the Senate can do to express its disapproval, apart from helping to improve the Bills by amending them, is to hold up a Bill for two hundred and seventy days as specified in Article 38, as follows:

'Every Bill initiated in and passed by Dáil Eireann shall be sent to Seanad Eireann and may, unless it be a Money Bill, be amended in Seanad Eireann, and Dáil Eireann shall consider any such amendment; but a Bill passed by Dáil Eireann and considered by Seanad Eireann shall, not later than two hundred and seventy days after it shall have been first agreed upon by the two Houses, be deemed to be passed by both Houses in the form in which it was last passed by Dáil Eireann; Provided that every Money Bill shall be sent

to Seanad Eireann for its recommendations, and at a period not longer than twenty-one days after it shall be sent to Seanad Eireann it shall be returned to Dáil Eireann which may pass it, accepting or rejecting all or any of the recommendations of Seanad Eireann, and as so passed or if not returned within such period of twenty-one days shall be deemed to have passed both Houses. When a Bill other than a Money Bill has been sent to Seanad Eireann, a Joint Sitting of the Members of both Houses may on a resolution passed by Seanad Eireann be convened for the purpose of debating, but not of voting upon, the proposals of the Bill or any amendment of the same.'

It could scarcely be expected that an assembly with such limited powers should take advantage frequently even of Article 39, which provides that:

'A Bill may be initiated in Seanad Eireann and if passed by Seanad Eireann shall be introduced into Dáil Eireann. If amended by Dáil Eireann the Bill shall be considered as a Bill initiated in Dáil Eireann. If rejected by Dáil Eireann it shall not be introduced again in the same Session, but Dáil Eireann may reconsider it on its own motion.'

In practice the Senate has in fact been chiefly a gathering of distinguished public men whose opinions cannot fail to carry weight and whose influence is much greater than their actual legislative powers. The Dáil has already shown, on one illuminating occasion at least, that it had no intention of allowing the Senate to acquire any direct share in the responsibilities of the Executive. In February 1926, a very definite conflict arose between the Senate and the Dáil, in which the strong views of Kevin O'Higgins aggravated a situation that need scarcely have produced much positive friction if it had been handled in a less provocative spirit by the Government. Mr. Andrew Jameson, who was formerly one of the most determined of the Southern Unionists, and who has revealed very great political abilities and shown an admirable public spirit in the assistance which he has

given to the Government ever since the Free State was established, had carried a resolution in the Senate requesting the appointment of a Joint Committee of both Houses to consider and report upon amending the Constitution so that members of the Senate might become eligible for membership of the Executive Council. To the man in the street, the resolution had a great deal to commend it; for many of the ablest and most devoted public men in the country are debarred, because they sit in the Senate, from filling any important position in the Government. But when the resolution was presented to the Dáil in March, Kevin O'Higgins moved its rejection and revealed his own very strong prejudice against allowing anyone who had not stood the test of popular election for the Dáil to sit in the Executive Council.

His feelings on the matter led him to adopt an unnecessarily hostile attitude to the manner in which the suggestion had been made by the Senate. The Government had proposed to enlarge the statutory maximum membership of the Executive Council from seven Ministers to twelve, and the Senate had not unnaturally seen in this proposal an opportunity for putting forward the claim of Senators to be included in the Cabinet. They decided to ask the Dáil to hold up its Bill until this question had first been considered; and Mr. O'Higgins took the attitude that such a request on their part was tantamount to a threat of deliberate obstruction if they did not obtain their will. Their view was, he explained to the Dáil, that if the field of extern Ministers was to be encroached upon, as it might be under the Bill and under the discretion which the Bill proposed to give to succeeding Presidents, then the compensation for that must be that Senators must be eligible for membership of the Executive Council. 'The Executive Council,' he asserted, 'objects to the bargaining complexion of

this resolution, the suggestion that unless this resolution is passed—unless the Dáil agrees to take part in a committee which would consider the alteration of Article 55, so as to make Senators eligible for membership of the Executive Council, then, presumably, the Bill which was passed by the Dáil, which is at present before the Seanad, will be consigned to some limbo reserved for Bills that fail to secure the assent of both Houses. The Government objected to the setting of this resolution, to its bargaining complexion, and to the underlying threat that unless the resolution were passed, and presumably those who represented the Dáil on the proposed committee agreed that Senators should be eligible for membership of the Executive Council, then the Bill that was before the Senate would not be passed by the Senate. The Government did not think that public business ought to be dealt with along lines of that kind.'

On the merits of the proposal also, the Government took exception to the resolution. To pass it would be to endorse the proposal that Senators should be eligible for membership of the Executive Council. Of the Senate's 60 members, 31 were elected, 27 nominated and 2 co-opted; but none of them were chosen as Senators with any advertence to the possibility of their becoming members of a body which is collectively responsible to the people for major matters of the bigger issues of policy, domestic and international, that might arise. Clearly, when the Constitution was being enacted, very definite provision had been made that members of the Second Chamber should not be members of the Executive Council.

'I do not think it is too much,' said Mr. O'Higgins, 'to ask of any man who is ambitious to take part in the administration of the affairs of State, in deciding in the counsels of the State, the major political issues that may arise, that he should face a constituency in

the ordinary way, and stand for election to the Dáil. I think it would be a wrong thing, an unsound thing for the Dáil or the country to say that persons who have been nominated in a rather haphazard way, or even persons who have been elected, should be even eligible to become members of the Executive Council.'

Mr. Johnson to a large extent shared this view, as the spokesman of the Opposition. He thought it was clearly intended in the Constitution that the Senate was not to be a duplicate of the Dáil, and that its function was restricted to matters affecting legislation, and precluded Senators from responsibility for administration. He proposed as an alternative suggestion, that a Joint Committee be appointed to consider possible improvements in the procedure and practice governing relations between the two Houses, and between the Ministry and the Senate. He thought something was required to improve the business methods of both Houses.

'I think,' he said, 'that the Seanad should not even attempt to be a replica of the Dáil, to go through Bills with the same object and the same method, and should not simply act as a duplicating, examining, and critical body, but that their function is somewhat different and was well described in the Constitution debates as that of a cooling chamber. I think they are intended to be a responsible body of earnest legislators who would examine carefully proposals coming from this House, which is made of commoner clay. I have been somewhat converted to the idea of a Second Chamber, with that function, by the experience of the last few years in this House. I think it is rather a reflection upon the business of this House that it has been necessary for the Seanad to act, more or less, as a duplicate body of the Dáil.'

Major Bryan Cooper, as a former Southern Unionist, many of whose former colleagues were now Senators,

argued that one practical effect of adhering to the present position would be to exclude men of ability from the Senate. No man of ability and ambition would be willing to go into the Senate if he were aware that under no circumstances could a member of the Senate go for a ministerial position. He argued, in reply to the suggestion that the Senate consisted of arbitrarily selected members, that the Constitution of the Senate would have changed so far within eight more years that it would have become a popularly elected body.[1]

In the Senate itself the decidedly hostile attitude of the Government caused a great deal of resentment; and the rather truculent attitude of Mr. O'Higgins created considerable ill-feeling; particularly because he appeared to have left the impression, when the matter was first raised, that he was quite willing to have the matter debated on its merits. Senator Douglas pointed out that the Senate had appointed a Select Committee, believing that this was a convenient and suitable time to raise the question of the eligibility of Senators to be members of the Government. The majority of Senators had wished to amend the Bill. They wished to hold up the Bill, not for the purpose of any threats implied or stated, but until they saw if any action could be taken in the direction they desired. The reason for the Joint Committee

[1] The fifteen Senators originally elected by the Dáil to sit for three years, had to face re-election in 1925. The results and experience of this election are discussed on page 148, in an earlier chapter dealing with Proportional Representation in practice. This summer (1928) another election is to be held on the retirement of fifteen of the Senators who were nominated for six years. The last Senatorial election showed such inconvenience in treating the whole Free State as one constituency that a different system has been urgently demanded. A Joint Committee of the Senate and the Dáil has now been appointed to recommend any changes found desirable, with a view to carrying legislation by agreement before the elections are due to take place.

was not an attempt to force the Dáil. He thought they should vigorously protest against the Minister's statement in the Dáil that they had attempted to use a constitutional amendment for the purpose of bargaining. Such a statement would not help the good relationship that should exist between the two Houses.

On April 7th Kevin O'Higgins attended the Senate to take part in a full debate on the matter. Senator Kenny, in moving a definite amendment with a view to making Senators eligible for office, pointed out that Parliament had full power to amend the Constitution within the first eight years, after which amendments could only be made by referendum. If the Ministers set up the argument that it was never contemplated by the framers of the Constitution that Senators could ever reach executive office, that argument could be met by saying that its framers never anticipated an amendment to the Constitution by which a deputy could act in the Dáil without being responsible to any constituency, and remain in that anomalous position for a certain number of years. 'Yet this Executive Council,' continued Senator Kenny, 'which is so punctilious in other matters, gave their sanction to that proposal, and were it not for the superior acumen and higher standards of competence that exist here at times, that anomaly would have passed into law and would exist to-day.' [1]

His conception of the infringement of Senators' rights under the Bill was that, as the Bill stood, there was power to narrow down the margin of appointment of extern Ministers, thereby encroaching on the position of Senators and others outside the Dáil. Power was given to increase the number of executive Ministers, but the privilege of selection was confined to members of the Dáil only, and no compensating privilege was given to Senators. The Senate was not

[1] See page 134.

consulted, and when they sensed the insidiousness of the Bill they rose up unanimously and objected to the measure. Notwithstanding their unanimity, they were treated in a very discourteous way by the Dáil; and in his presentation of the case, the Minister of Justice's attitude was most disappointing to them, because when the amendments were first considered he had been very favourable and agreeable to their proposals. Senator Kenny asserted that in practice the proceedings of the Senate were hampered by want of sufficient knowledge of legislation that was in prospect. The effective liaison between the two Houses had not been found to work out in practice. Any argument put forward by the Minister for Justice as to why Senators were not eligible broke down when they applied world-wide experience to the matter. The nominated element of the Senate would fade out in time, and after another few years the whole House would be popularly elected. In South Africa the nominated element was looked upon as a virtue and was installed as a permanent element of their Constitution.

He thought the experience of the House had been, and was, that there was not the clear liaison between the two Houses which was contemplated by the framers of the Constitution; and he thought it as important to remedy that defect in the Constitution as to remedy defects in the Bills brought to the House. 'I speak for the majority of this House,' he concluded, 'when I say that I think the message which we sent to the Dáil did not get the consideration it deserved, and that the attitude taken up upon it was not such as should be accepted by the Seanad.'

Senator Bennett confessed that he had no extraordinary enthusiasm for the proposal that Senators should be members of the Executive Council. But the proposed Bill cut so much across the principle and

provisions of the Constitution, that he thought a drastic amendment of that nature was necessary to obtain the attention which the Bill merited. In its discussion, the Dáil had considered the Bill entirely from the point of view of the Dáil, irrespective of the Senate, and irrespective largely of the provisions of the Constitution. He was more than anxious that a member of the Seanad should be at all events a member of the Ministry for the purpose of liaison, to keep them in touch with all that was happening in the other House, and to indicate more clearly the line of legislation and to help in the debates with all the details necessary for adequate consideration. No one, he believed, judging from the attitude of Ministers towards their proposals for a Joint Council or Session, could imagine that they would accept such an amendment, but he seconded it merely for the purpose of preventing a Bill which he thought was a gross infringement of the Constitution and a grave infringement of the rights of the Senate.

Senator Douglas, who has acted as peacemaker on various public questions, thought that if the number of Ministers in the Executive Council exceeded the five to seven members hitherto provided, the Dáil should have power, if it so desired, to choose a Senator. He would not support the amendment, because it introduced two subjects, and the question was not whether there should or should not be a Senator in the Executive Council, but whether the Dáil should have that power. If Senators would join in introducing a Bill to provide that, where the Executive Council exceeded seven members, there should be an option to choose a member of the Senate, he would gladly support it. The proper thing would be for them to promote such a Bill and discuss it in the Senate without regard to the subjects involved in the present Bill.

Kevin O'Higgins replied to these criticisms in his quietly truculent way. He said that his own attitude towards the suggestion of eligibility of Senators for membership of the Executive Council had been throughout, that he disliked its being raised as a side wind of that particular Bill. He was quite prepared to have the matter considered by a Joint Committee of the Dáil and Senate, provided that the issue was not raised in connection with that Bill. He recalled his own explanation in previous debates of the reasons why the Government had become less enthusiastic over the idea of having extern Ministers, which had been frankly an experiment by which they had hoped to mitigate the rigidity of the party system. Experience had shown that most of the major departmental questions radiated into the sphere of collective responsibility on the question of finance. The idea of the single responsibility of the extern Minister could not become a reality because of finance. While it was not proposed absolutely to abolish the idea, the Parliament was asked to say that each succeeding President on his election should have discretionary elasticity as to the number of members he would call into his Executive Council, and as to the extent of the field of entire administration that he would make a matter of collective responsibility. He thought that an eminently reasonable proposal; which ought not to be complicated with the other question as to whether or not it was desirable that members of the Senate should be eligible for membership of the Executive Council. But in regard to this definite proposal he told the Senate openly that he 'would need a lot of convincing' that it was desirable to make Senators eligible for membership of the Executive Council. 'Any Senator,' he pointed out, 'could stand at the general election who feels that he has ministerial aspirations. Article 16 of the Constitution

says members of one House may stand for election in another, and need not resign their seat if they fail to pull off the chance. . . . Now there is a great chance for someone.'

The question of an effective liaison between the Executive Council and the Senate was another matter. He himself could not see that there could be any more effective liaison than the daily attendance there in connection with legislation, of members of the Executive Council to answer any question that might arise. He did not think that persons ought to aspire to ministerial office who had not direct responsibility to the people, who had not been elected by the people, or at any rate not elected for that purpose.

Senator Brown, K.C., one of the ablest members of the Senate, said that he would vote against the amendment if it were pressed to a division, but he was in entire agreement with the principle underlying it. He thought the President should have the right to nominate, and the Dáil should have the right to approve, of the nominations of a Senator to the Executive Council. He felt that was at the moment a matter of procedure, not of principle; to which Mr. O'Higgins replied that he was not in a position to guarantee that a Joint Committee would consider the matter. He believed, however, that he would be in a position to guarantee that the Executive Council would not oppose the setting up of such a committee.

Senator Kenny expressed himself willing to withdraw the amendment if he got some sort of an assurance that the Government would introduce such a measure, or that Mr. O'Higgins would himself of his own volition make the proposal that a Joint Committee be set up to go into the question. But Mr. O'Higgins flatly refused to undertake to propose it to the Dáil. He did not know what the fate of it would be. He knew that Deputy Johnson, the

leader of the Opposition, objected most emphatically even to participating in such a Joint Committee. His own position was that he would suggest to the Executive Council that the Dáil should be left free, on non-party lines, to decide whether or not it wanted to co-operate in a Joint Committee in considering that specific proposal. To which Senator Kenny replied that if the Minister desired to throw the onus on to the Dáil, every member of the Senate could foresee what would happen there. Unless it had Government backing, there was not the slightest use in pressing it. They might, he said, as well meet their Waterloo in the Senate as in the Dáil.

Senator Jameson thought all the Senate were agreed that their action in regard to this Bill would not be of a bargaining nature. Nothing was further from his mind than that they should attempt in any way by their action in the Joint Committee to force the hands of the Government. The whole matter, so far as concerned the Bill, was one for the President of the Executive Council, and was not one in which the Senate should interfere. Mr. O'Higgins repeated that he could not comply with Senator Kenny's request for an assurance that the Government would move a resolution that a Joint Committee be set up. He believed the Dáil might not pass such a resolution, and he did not agree that they should be compelled to pass it as a matter of Government confidence. On the other hand, he would try to secure that the Government would not oppose a resolution of that kind; and in that state of affairs he was prepared to say personally that he would be glad to see the resolution passed. But his present view was against the proposal. He did not think the Senate ought to contain potential or prospective Ministers. It would create parties there, and party points of view, and would take somewhat from the calmness of the

deliberations of the Senate.
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In view of this thoroughly discouragi
by Kevin O'Higgins, Senator Kenny sim
drew his amendment and the discussion ended.
although the Dáil has shown this hostility towa
assumption of real power by the Senate, the Government has frequently owed much to the good offices of individual Senators, and on various occasions the Senate has given valuable assistance in improving Bills which came to it from the Dáil.

On one of the Constitution Amendment Bills, the end of the fourth Dáil, the Senate showed its capacity to solve a problem which had baffled the Dáil. The Government's proposal to secure the unopposed return of the Speaker, by giving him a seat in the Dáil without having to represent any particular constituency, had produced much discussion and criticism, on the ground that the Constitution never intended that anyone should sit in the Dáil unless he had been chosen by some section of the ordinary electorate. But the probability of his being defeated under the conditions attaching to Proportional Representation, in view of the fact that he had been debarred from taking part in political campaigns, seemed to make some special arrangement for his benefit a necessity; and the Dáil was unable to find any compromise which would keep within the spirit of the Constitution while securing his return. In the Senate, however, an ingenious way out was found by Senator O'Farrell, the principal representative of the Labour Party in the Upper House. He proposed that the Speaker should still be elected for a definite constituency, by continuing to represent the one which has originally

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CHAPTER XV

THE TREATMENT OF MINORITIES

The ex-service men—Debate in November 1927—Not a distinct class in the State—Enrolment in the National Army—Their pensions a help to poor districts—Mr. Cosgrave's active sympathy—Failure of Land Trust to build houses in the Free State—Other grievances against the British Government—Commission of Enquiry appointed—Compulsory Irish in the schools—Trinity College and Celtic studies—Obligatory training of school teachers in Irish—Extension of bilingual teaching—Southern Unionists and public appointments—The new Provost of Trinity College.

NOTWITHSTANDING the provisions in the Constitution which prohibit any sort of preferential treatment of one religion, and notwithstanding the very remarkable disregard for previous political opposition which Mr. Cosgrave's Government showed at first, there has been a widespread belief that the ex-service men in the Free State have been unfairly treated by the Government. Appeals made on their behalf by Lord Haig and by other champions of the ex-service men in England have strengthened that impression, however unintentionally. And the fact that Mr. de Valera scored his first success against Mr. Cosgrave in the new Dáil by out-voting him on a motion for setting up a Commission to consider their grievances, has been generally regarded as conclusive evidence that the complaints were justified. But the ex-service men are so large a class among the small population of the Free State that their position is of very great import-

ance ; and much light was thrown on their special hardships by the debate which took place in the Dáil on Captain Redmond's motion, soon after the assembly of the new Dáil, in November 1927. On another occasion also, earlier in the year, the Irish Government had been accused of unfairness to the ex-service men, through a similar misunderstanding, when a wholly unauthorised proposal was put forward for the erection of a memorial to the Irish ex-service men in Merrion Square, facing the present Parliament buildings in Leinster House. The Government opposed the scheme for its own reasons, and it was opposed no less strongly by the two principal spokesmen of the British Legion in the Free State—General Sir Bryan Mahon and General Sir William Hickie. The proposal, in view of their opposition which reinforced the objections of the Government, was naturally defeated ; but the result was widely represented in the English press as evidence of the humiliation of the ex-service men in the Free State.

In justice to the Free State Government, the facts of the debate in November 1927 should be placed on record ; for the Government's attitude in the matter was not due to any lack of sympathy with the ex-service men and was in fact supported by one of their principal spokesmen. Captain Redmond, however, who has long been one of the recognised advocates of the ex-service men and who holds a high position in the Irish branch of the British Legion, moved a resolution for the appointment of a Commission ' to enquire into the claims (if any) which the Irish ex-service men had against the British Government in respect of rights arising out of their past services, and against the Free State Government in respect of alleged discrimination against them in regard to employment on public works or in regard to their general rights.' The Government did not actually

resist this motion; but it did support an amendment which was introduced by another no less important advocate of the Irish ex-service men, Major Bryan Cooper, who had been no less active than Captain Redmond in the work of the British Legion. Their difference of opinion was simply on a question of the best method for securing their rights; and Major Cooper definitely opposed the setting up of a Commission on the ground that it must delay the question indefinitely, while it could reveal nothing that was not already well known. The Government decided to support Major Cooper's amendment; and Mr. de Valera's party, seeing an opportunity for securing a vote against the Government's wishes, supported the demand for a commission of enquiry—with a somewhat cynical indifference to the fact that a few weeks before, he had been publicly denouncing the display of the Union Jack on Armistice Day. No one who followed the debate could indeed hope that the ex-service men had gained anything by Mr. de Valera's victory; and the appointment of a commission of enquiry is more likely to provide an excuse for further delays, than to bring any relief to a large class of the people who have been suffering very acutely in recent years.

Two points emerged with surprising clearness from the debate: first, the fact that it is impossible to regard the ex-service men and their dependents as a class apart in the Free State; and secondly, that their very real grievances are against the British rather than the Irish Government. So far as the Irish Government was concerned, it was shown that the Executive Council not only had treated the ex-service men with every sympathy, but had very solid reasons for so doing. The number of ex-service men actually living in the Free State now is generally admitted to be between 150,000 and 200,000; and allowing a very low estimate of three dependents for each of them, the

question affects directly at least half a million people out of the Free State's bare three millions of total population. But their interests go far beyond this, when the dependents of those who were killed in the war are included as well; and no party in the country could afford to neglect the claims of such a widely distributed class. Nor is the usual idea of a conflict between the rights of ex-British soldiers and ex-National Army soldiers a genuine grievance. Major Cooper, speaking with intimate knowledge gained in his constant work for the British Legion, asserted that at least fifty per cent. of the members of the National Army had been demobilised ex-soldiers of the British Army. A dramatic intervention in the debate was made by one of the Republican deputies, Mr. Carney, who, having told the Dáil that he was an ex-service man himself and that his only brother was buried near Cape Helles, declared that if half the ex-service men had been in the National Army under the Free State, he believed that most of the other half had been in the Irish Republican Army, like himself. In view of such statements, even with every allowance for exaggeration, it is absurd to regard the ex-service men in Ireland as a class who have been treated as pariahs by the Irish Government. On the contrary, as Major Cooper pointed out, roughly half of them have received preferential treatment in regard to employment on public works, since they were also ex-soldiers of the National Army.

One aspect of the matter was stressed by Mr. Daly, who claimed that there were thousands of ex-service men in his own constituency. His speech threw a good deal of light on the otherwise surprising attitude of special sympathy towards ex-service men which has in fact been shown by the Irish Government. The ex-service men, he pointed out, ' in any district where they are in large numbers are a great source of revenue,

because they get their pensions every Friday morning, and I assure you they do not go to the Banks with them. Every town in which these men live is the better of them. For that reason I think it is the bounden duty of everyone here to help them. I know it would be a most pleasing duty for President Cosgrave to do what he could for them. I can say that from my experience of the President. It would be a great help to them if their grievances were brought before the British Government by our Executive Council acting in co-operation with the Legion of ex-Service Men. The latter, I think, should serve just as well as a commission. I do not object to a commission if it is an improvement to the Legion of ex-Service Men, but I do not think it would be an improvement. Would it be an insult? Would not such a commission take away from the ex-service men the right which they possess, and that is the right of appealing to the British Government?'

Major Cooper confirmed this view of the Government's treatment of ex-soldiers, when he said that he had on many occasions gone to Mr. Cosgrave on matters concerning them, as an Independent deputy, and that he 'was always accessible and was always anxious to help us.' The charge of discrimination against them had been personally investigated by the chairman of the British Legion of ex-Service Men in the spring of 1927, and Major Cooper quoted the results of his enquiry. 'He travelled all over the South of the Free State,' said Major Cooper. 'He saw men of all sorts—not men connected with the Legion only. When he came to the end of his journey, he reported that in one district he thought the Home Assistance Officers were exercising some discrimination against ex-service men. That was a matter for the local authority and not a matter for the Government,' Major Cooper went on, and he asserted most

definitely that he had been able to discover no other case of discrimination.

Nevertheless the ex-service men as a class have suffered undoubted hardships. Their main difficulty, as in England, has been the widespread depression of trade and unemployment. But they had to suffer disabilities which the ex-service men in Great Britain have not known. So far as treatment by the Irish Government goes, their chief grievance has been in connection with the examination for civil servants, which affected a very small number of people. An examination was held, as in England, to select permanent civil servants from those who held temporary positions; but there were only about 300 vacancies. Some 550 candidates passed the final examination and were taken into the permanent civil service at once; but those who failed were not allowed to sit for examination again as they were in England. There have also been many vague complaints about discrimination at the Labour Exchanges when men come to look for employment; but no serious evidence of such discrimination has been produced, and the real trouble has been the difficulty of finding work for men who have been out of Ireland for a number of years, and who returned to find trade and agriculture terribly depressed, and whose temporary employment in the National Army came to an end.

It is against the British Government that the Irish ex-service men have had genuine cause for complaint—not only because the promises of preferential employment which they received when they enlisted have not materialised. Major Bryan Cooper agreed frankly with Mr. de Valera that 'a great many of them enlisted from very much the same motives that actuated American citizens of the United States who went to Canada and joined the Canadian forces. There was no enthusiasm for the British Empire, but there was,

as one who enlisted and never returned said, " not for King nor Flag nor Emperor, but for a dream born in a herdsman's shed and for the simple scriptures of the poor." ' Conditions had changed out of all recognition when they came back after the war, and the British Government was no longer in a position to fulfil its promises of preferential treatment. But even in definite matters where the Irish ex-soldiers have plainly recognisable rights, there has been a deplorable neglect of their interests. Captain Redmond referred particularly to the Land Trust established by the British Government in 1919, to which a large sum of money was allotted. About £750,000 of this was intended for the ex-soldiers in the Irish Free State, to be spent on the erection of houses. Actually there has been scarcely any building whatever out of these funds. In Waterford—one of the chief centres of recruiting for the war—not one house was built by the end of 1927, and all over the country there has been similar delay. Besides, the rents charged for such houses as have been built are considerably higher than those built in Northern Ireland. There have been long negotiations on the subject with the Land Trust in London, and some relief has been obtained; but no redress can be offered by the Irish Government itself except by making stronger representations than it has to the British Government.

Various minor grievances have also added to the difficulties of Irish ex-service men, for which the blame must fall upon the British Government. Under the Empire Settlement Scheme they were entitled to expect free or subsidised passages if they chose to emigrate; and, as the Irish Government has naturally avoided encouraging emigration, they have received no compensation for the loss of this privilege. Most serious of all is the grievance in regard to pensions, particularly as they affect dependents of soldiers killed in the

war. The old age pensions regulations are different in the two countries; so that when the mother of a soldier killed in the war reaches the age of 70, she loses half her previous pension from the British authorities but is unable to claim her old age pension in the Free State because even the half of her former pension disqualifies her from receiving relief as an old age pensioner.

The direct expenditure on pensions alone in Ireland amounts roughly to £86,500 for disabled men, £25,300 to widows and £13,000 to dependents, every month. Five advisory committees regulate the administration of the work, with some 500 voluntary workers who assist a total regular staff of some 160 people. A great deal has been done by the voluntary work of advisory committees to help those who are entitled to benefits of various kinds in making good their claims; but the claims are against the British rather than the Irish Government. It is deplorable that after seven years barely half the 3,600 houses that were to be provided by the funds of the Land Trust have yet been built. The whole question is, of course, full of complications arising out of the Irish settlement; and the Imperial Government is inclined to throw upon the Irish Government full responsibility for the support of all its citizens, even though many of them were crippled, or have passed the age when employment can easily be found, in the service of the British Army. At any rate, the evidence shows that if there has been any unfair discrimination against Free State citizens who served in the European war, it has not been at the hands of the Irish Government, but rather at the hands of the Imperial authorities who have been slow to carry out the full obligations of their debt to the ex-service men. And it was not the least curious feature of this paradoxical debate that the Free State Government, in deciding to

oppose the appointment of a commission of enquiry, were largely influenced by the feeling that such a commission would be regarded as an unfriendly action by the British Government. Mr. de Valera's Party, however, have insisted upon its appointment, and a commission of three men, including a retired Brigadier-General, has been set up.

Apart from these unfounded accusations of unfairness towards the ex-soldiers, the principal minority grievance against the Free State concerns the encouragement of the Irish language. In the first years of the new regime, the Ministry of Education was in the hands of Professor Eoin McNeill, a Celtic scholar of international reputation, who had been the founder of the Gaelic language revival long before the war and the protagonist of compulsory Irish in the National University. It was natural, in the sudden transition to an administration controlled by the leaders of Sinn Féin, that immediate steps were taken to encourage the study of Gaelic and to fulfil the hopes of reviving it as a spoken language. In the first debates in the Dáil, endless time was wasted by deputies speaking first in Irish and then in English; and in the newly elected Dáil there has been a revival of this practice, which had been abandoned in the absence of the Republican deputies. Whether the practice will continue, it is too early now to say; but already some sort of curtailment of the present waste of time is apparent. A newspaper critic scarcely exaggerated when, in describing the first debates attended by the Republicans in the new Dáil, he complained that one of Mr. de Valera's chief lieutenants 'after saying the same thing three times over in Irish proceeds to repeat it twice again in English.'

Much of the first enthusiasm for Gaelicising the Free State has since evaporated, and Professor McNeill has been replaced as Minister for Education by a

younger man who is a less ardent 'Irish Irelander,' Professor J. M. O'Sullivan—whose academic attainments are in philosophy and in modern history, instead of Celtic archaeology. But the principle that Gaelic is to be the national language of the Free State, with English only recognised as a second language in constant use, has been embodied in the Constitution itself; and the practical application of this principle has inevitably brought a certain amount of hardship to the Southern Unionists, who generally regarded the Gaelic language revival with positive dislike. The new Ministry of Education proceeded to make rules compelling all candidates for positions as school teachers to pass an examination in Gaelic; and a deliberate policy of discrimination was introduced when the schools which taught Irish became entitled to larger subsidies than those which did not. Similarly a knowledge of Gaelic was made a requirement of all candidates for the civil service and the post office and the Civic Guard. But the country has quickly adapted itself to these formal requirements, and in practice they have not involved any serious hardship.

One very significant development under the new regime indeed has been the quite definite growth of enthusiasm for the Irish cultural revival among many of those who disliked it before. Trinity College, for instance, has so developed its faculty of Celtic studies by obtaining the services of a number of brilliant scholars, that its Celtic Department already rivals that of the National University. The new Provost of Trinity is himself a scholar in early Irish, whose work has been a most considerable contribution to Celtic studies in the past twenty or thirty years. The two Universities in Dublin have between them, in a spirit of friendly rivalry, succeeded in making Dublin, instead of Germany, the recognised centre of Celtic scholarship. And this growth of a genuine

pride in the traditions of Gaelic literature and culture has had a decided effect upon the attitude of the Protestant minority towards the Government's programme of making Ireland a bilingual country.

Criticism of the Government's policy, and of the large expenditure of public money on the teaching of Irish, has become much less frequent as the desired results have been obtained to a considerable extent, with a consequent reduction in the amount of money that has to be spent. Special courses for the teaching of Irish to the teachers of primary schools were established after the foundation of the Free State, and have been continued ever since. In 1922, these courses cost nearly £76,000; and in 1923, nearly £66,000. The cost was substantially less in the two following years, when about £43,000 was spent in this way in each year. Attendance at these courses was made compulsory for all school teachers under 45 years of age in the first few years of the new regime, but they were then continued on a voluntary basis. By 1926, it was officially reported that out of approximately 13,500 teachers (including members of religious communities) practically half had already passed the certificate required for teaching any subject in the curriculum through the medium of Irish. Of the remainder, most were expected to qualify for the certificate in the 1926 examinations; while some 2,500 teachers who were over 45 years of age were not required to qualify for it. The results of this intensive training of the school teachers has been much more considerable than is generally known outside of Ireland. The Irish language has become much more than an extra subject taught at the option of parents. The progress which has been made in the teaching of the language is indeed extraordinary. Prior to the abolition of the old Results System in 1900, it was taught in less than 100 out of more than 8,000 schools

in the country. The Gaelic League and other organisations succeeded in introducing it as an optional subject into many others before the war; and by 1922 it was already taught in nearly 2,000 primary schools.

Under the Provisional Government established in 1922, a most definite advance was made. An order enacted in February 1922, decreed that after March 17th, the Irish language was to be taught or used as a medium of instruction for not less than one full hour a day within the ordinary school hours, in every school in which any member of the staff was competent to give such instruction. 'This order was followed,' as the latest Report of the Ministry of Education points out, 'by the issue of a circular in April 1922, which in announcing the adoption for National Schools of the National Conference programme, outlined clearly the wishes and aims of the new Government in the matter of elementary education in Saorstát Eireann, with particular reference to the teaching of Irish and the use of the language in *the teaching of the other subjects* of the programme. As a result of these steps Irish is now not only a subject in all schools but a medium of instruction in an increasing number. In Infant Schools and in Infant Departments, Irish alone is being used in the instruction where the teachers are sufficiently qualified in the language. In a considerable number of schools, other than Infant Departments, Irish is not only a subject of the ordinary curriculum, but, in addition, is being used as a teaching medium for other subjects of the programme such as History, Geography, etc. In fact, work of the type formerly limited to the scheduled schools in the Irish-speaking areas in which a bilingual programme was adopted is now being done in a large and increasing number of schools. It would be safe to assume that practically all of the teachers who possess the two highest certificates (*i.e.* nearly 3,000) are giving

instruction through the medium of Irish in other subjects of the curriculum; this would probably also apply to about half the 3,414 who have passed the examination for the Ordinary Certificate in Irish. Instruction on this basis will gradually be extended to all the schools as the supply of teachers with the requisite competency develops.'

How far this extremely interesting experiment will succeed it is impossible yet to foresee. The gradual retirement of older school teachers who are unable to teach in Irish will strengthen the Government's hands, since Irish has been made an essential subject for all candidates for the Training Colleges and for all students who are being trained. 'It is also expected,' the Report states, 'that when the Preparatory Colleges are in full operation the candidates for entrance to the Training College will be fluent speakers in Irish, already accustomed to deal with the teaching of their subjects through that language. The difficulties that still confront the Department of Education, however,' it continues, 'in the matter of supplying teachers competent to teach subjects through Irish are very great, as will be evident from the fact that even in the Irish-speaking districts and partly Irish-speaking districts not quite 50 per cent. of the Primary teachers hold the Bilingual or Higher Certificate, while more than half of the remaining teachers in these districts have still no recognised Irish qualification.'

On the more immediate issues of the filling of important positions, the Government certainly cannot be accused of treating the Protestant and Unionist minority with unfairness. Mr. Cosgrave, in appointing half the members of the newly constituted Senate, generously fulfilled his promise to give them fair representation, and they were actually represented to an extent out of all proportion to their numerical strength in the country. Most significant of all was

the election of the former Unionist leader, Lord Glenavy, as chairman of the Senate. Lord Glenavy has made an excellent and most tactful chairman of the Senate, and in the reorganisation of the judiciary he gave invaluable assistance and advice to the Government. Nothing did more to convince the Southern Unionists of the Government's intentions to give them fair play than the choice of judges to fill the Courts. Under the terms of the Treaty most of the senior judges were entitled to retire at once with pensions on a munificent scale, and most of them seized the opportunity. Their places were filled by Mr. Cosgrave's Government with such complete disregard for party politics or considerations of religious belief, that within a few months most of the highest judicial positions had been given to distinguished members of the Irish bar who were Protestants and had been conspicuously identified in the past with resistance to the nationalist movement.

Much more recently, on another matter of vital concern to the Protestant minority, Mr. Cosgrave has displayed the same spirit of goodwill and respect for the desires and feelings of the Southern Unionists. The death of Dr. Bernard in August 1927, left to the Irish Government for the first time the responsibility of appointing a new Provost of Dublin University. An agitation was raised in certain quarters to obtain the appointment of some distinguished Catholic member of the University; but Mr. Cosgrave refused to listen to any such claims. He left the decision as to the Provostship entirely to the wishes of the Senior Fellows of the University, and accepted without the smallest hesitation the nomination that they proposed. Mr. Cosgrave's admirable spirit in regard to the Protestant minority has been rewarded especially by the gratitude of Dublin University. Quite early in the development of the Free State, high tributes were

paid to his sense of justice by eminent spokesmen of the Church of Ireland and of the Nonconformist Churches. But Dublin University has shown its appreciation of his fairness most particularly. Its group of three deputies have given valuable support and assistance to the Government in the Dáil from the beginning, and particularly since the great abilities of one of the first group of deputies, Mr. Gerald Fitz-Gibbon, K.C.—formerly a very strong Unionist advocate—were recognised by his admission to one of the highest positions in the Supreme Court. And when Mr. Cosgrave in October last accepted the invitation to attend the annual inaugural meeting of the Trinity College Historical Society, the whole audience testified to their appreciation by rising to their feet and cheering tumultuously for several minutes.

CHAPTER XVI

FREE TRADE OR PROTECTION

The Fiscal Enquiry Committee, 1923—Existing duties abolished—A survey of Irish industry—Natural and abnormal disadvantages—Protection in the interests of a few—Increasing the cost of living—Danger of eliminating competition—A Free Trade Report—The Tariff Commisson Bill, 1926—Ascertaining all the facts—Personnel of the Commission—Farmers' Party in revolt—Labour Party dissatisfied—Mr. Blythe states the Government's policy—List of existing taxes on imports.

Long before the war the first exponents of the Sinn Féin gospel had given special prominence to the possibilities of a system of protective tariffs as a means of building up new industries in Ireland. Arthur Griffith had been one of the first to work out the possibilities of such a system by close study of Irish industrial history under the Irish Parliament of the eighteenth century, and in the succeeding period of stagnation and decay. One of his most gifted disciples, the late F. W. Ryan, discovered the writings of the German exponent of national economics, Frederich Liszt, and did much to popularise his theories by drawing a comparison between the possibilities of Ireland and the history of German economic development under the shelter of a scientific tariff system. The conditions were, of course, profoundly different. Ireland, without mineral resources, and lacking in any tradition of industrial skill or of that confidence which comes from successful enterprise in the past, had inherited an awful legacy of

discouragement and neglect. And the exclusion of Northern Ireland in 1920 had deprived the Free State—by the time that Griffith came to preside over its destinies—of Ireland's principal industrial population. The new State was overwhelmingly agricultural; and agriculture entered upon a period of such intense depression after the European war that any experimental policy of protection must involve placing burdens upon the mass of the people which they were not in a position to bear at the time, and which at best could not produce any substantial result for a number of years.

One of the first acts of the new Government, as soon as the civil war had been brought to a conclusion, was to appoint a small committee of economic experts to advise upon the conditions which should govern the future fiscal policy of the Free State. The Committee were men of exceptional distinction. Their chairman, Professor Smiddy of University College, Cork, was already well known as a brilliant economist, and has since become the accredited envoy of the Free State in Washington. The others included Mr. George O'Brien, the ablest of the young economists who have graduated in the National University of Ireland, and Professor C. F. Bastable, Professor of Economics in Trinity College, who had for years held an international reputation as an expert on public finance, and as the most brilliant exponent of the school of 'orthodox' political economy in the tradition of Ricardo and John Stuart Mill. Mr. Bastable's inclusion on the Committee suggested that every proposal for a departure from unrestricted free trade would meet with relentless criticism from one of the ablest free trade advocates in Europe; but its other members were a guarantee that the nationalist prejudices in favour of a system of protective tariffs would receive full and sympathetic consideration.

The Committee published its first Interim Report within six weeks of its appointment. It recommended that Part I. of the British Safeguarding of Industries Act—' which had been framed with regard to the peculiar needs of certain industries which, though of importance in Great Britain, are industrially insignificant in the Free State,' should be repealed within six months, on the ground that they produced practically no revenue, while they impeded various scientific and educational establishments in Ireland. Part II. of the Act, which was intended to prevent unfair competition through ' dumping ' and the effects of depreciated foreign currencies, raised questions too large to be considered quickly; but the Committee advised at once that the duties imposed on imports from Germany under the Act should be repealed, as they gave no protection to any Irish industry. Further, the Committee advised the immediate repeal of the Dyestuffs (Import Regulation) Act of 1920, which was designed to protect an English industry that did not exist in Ireland.

This rapid decision on two important matters revealed some of the immediate possibilities of the country's new freedom to arrange its own fiscal system. The Free State was henceforward to receive full benefit from free trade with any country in the world which offered to sell its goods cheaply, without being obliged to consider the special industrial difficulties of England. Three months later the Committee published a second Interim Report, having considered the question of revenue prohibition and existing duties not dealt with in the first report. It recommended ' in the interests both of the public and of the revenue ' that the existing revenue prohibitions should be maintained, except in the case of coffee essences, which, it considered, should be made liable to an adequate import duty instead of being entirely

prohibited. In regard to the existing import duties it advised that the import duty on spirit varnish should be waived, when it was intended for industrial purposes. The important duty on motor vehicles was found to produce so much revenue that its retention was recommended for the present; but the duty on imported motor accessories and component parts was found to impede the work of repairing garages, and to discourage any attempt at assembling work, while it yielded only a small revenue. The abolition of this duty was therefore advised.

The complete Report of the Committee was presented on November 1st, 1923, and dealt fully with the proposals intended to foster industry and agriculture. It drew attention first to one aspect of the existing motor vehicle duties. Coach building had once been a very important Irish industry; and the Committee had seen large possibilities of restoring a similar industry in the assembling of motor vehicles. The existing duty on imported vehicles, it considered, ought to be retained as a source of revenue; but it recommended a lower duty on imported chassis, when the body of the vehicle was not also imported, as a means of encouraging the industry. The Committee's first recommendations therefore had all proposed the abolition of existing duties, instead of proposing the introduction of new tariffs.

In its general Report the Committee at once disclaimed any intention of formulating a fiscal policy for the Free State. Mr. Cosgrave, in announcing its functions, had, in fact, told the Dáil very definitely 'it is facts and not policy which the Committee is intended to determine. Every proposition that is advanced will be examined solely with a view to ascertain and to inform the community as to all the facts. The Committee is not expected to advocate policy. That will be a matter for the people and

the Government when they have the facts before them.'

In the course of forty sittings the Committee heard the evidence of considerably more than a hundred witnesses—manufacturers, traders, merchants, bankers, trade union officials, deputies, senators, professors of economics, agricultural organisers, and experts of every kind. The minutes of their evidence provide as complete a survey of economic conditions in the country as could well be obtained; and the Committee, in its Report, summarises a great deal of the main trend of the evidence. It showed how complicated the question of any general system of tariffs must be, even in a country so simple in its economic organisation as the Free State in its present conditions. But certain main inferences were at once apparent. The Committee expressed very frankly its own conclusion that, in spite of the number of the witnesses, and the great importance of some of the industries which they represented, it would appear, nevertheless, 'that the volume of industry which is anxious to obtain a protective tariff is small compared with that which desired no change in the existing system.' Several of the witnesses, in fact, representing important industries such as malting, biscuit manufactures and jute, definitely opposed any protective tariff for their own industry; and the Committee assumed naturally enough that 'this view is shared by the numerous and important industries that did not offer to give evidence —*e.g.* the brewing and distilling industries, and the industries connected with agriculture, such as bacon curing and butter making, not to speak of agriculture itself.' Nor were those industries which did desire protection in agreement as to the articles which should be protected. 'Many articles which some wished protected,' the Committee pointed out, 'other witnesses wished to have admitted free.' Nor was there agree-

ment as to the nature or the amount of assistance required. But on certain points—amounting in general to the assertion that Irish industries cannot hold their own against outside competition—there was substantial agreement. The reasons for this complaint were two-fold: certain abnormal conditions resulting from the recent European war; and other more normal and permanent difficulties.

In the chapter which deals with Irish industries in this book, the Committee's analysis of the various impediments to industrial development is described in some detail. It distinguished between two different sorts of difficulty: on the one hand, those 'facts of geographical situation, natural resources, national capacities and development, which are either entirely unchangeable or can only be altered with difficulty after a certain lapse of time, and perhaps, when every effort has been made, only to a certain extent'; and on the other, the abnormal conditions resulting from the European war and from actual destruction during the period of prolonged anarchy in Ireland, which would in time pass away. Some of these abnormal conditions—which had completely destroyed all enterprise and confidence and had virtually paralysed the economic life of the country for a considerable time—had even in 1923 begun to disappear. Others have, as the Committee hoped, improved since its Report was published; but their influence upon the position of the country when they had to consider it, was most far-reaching. Both from the point of view of revenue, and of encouraging Irish industry, the Committee had to consider a wholly abnormal situation. 'Irish industry,' they said, 'in a weakened state and depressed condition was exposed to a competition so fierce as to dislocate the industrial life even of long-established and well-organised industries in the most highly developed industrial community in the world.

The fierce struggle to hold or to develop markets would in any case have found Irish industry a poor competitor; but in the circumstances the struggle has been exceptionally and unnaturally severe. It will be plain that it is not easy to assess the precise effect which the one set of causes or the other has had in producing the present situation. Great care will be required in deciding how far measures which, once adopted, will be extremely difficult to abandon, can safely be applied in relief of a complicated and passing situation.'

But while admitting that the abnormal situation required special treatment, the Committee pointed out that most countries were also suffering from abnormal depression and distress, and they said definitely that 'since no remedy had as yet been devised to meet this disturbed economic condition, it must apparently be left to the normal evolution of industrial activities.' No permanent policy at any rate, they declared, could be safely based upon conditions which could not be considered as permanent. They quoted the report of the American Tariff Commission as confirming their own view that no general remedy would be found for unfair competition arising out of depreciated currencies; and they were emphatic in saying that no system of protective tariffs without the assistance of special legislation could afford protection against 'dumping' in the Irish markets. These conclusions went a long way to shatter the illusion of regarding a general protective system as the means of reviving industry in the Free State; but the Committee went considerably further. The main industry of the Free State, they pointed out, was agriculture—which no one could think of protecting. Nor was protection sought for biscuits, beer or whisky, which—after eggs, bacon and butter—were the principal exports in the country's

trade. The brewing and distilling and malting industries were, of course, based immediately upon agriculture, and the Committee insisted strongly that 'agricultural pursuits absorb the greatest volume of Irish capital and labour, and the effect upon their interests must be considered as of paramount importance in estimating the result of any proposal to protect Irish industry.'

In view of these considerations, it was evident that a general protective system could not benefit more than a very small section of the country's interests. Not only agriculture, but the larger exporting industries, such as bacon-curing, brewing, distilling, biscuit making, and jute, had no need for protection and must be adversely affected if they could not obtain cheaply raw materials upon which several of them depended. Only the small industries, in fact, stood to gain by such a system; and the Committee proceeded to show how, even for many of them, the advantages of protection would be illusory. They pointed out the difficulty of estimating what standard of efficiency should be regarded as normal in considering the condition of each industry. If a few thoroughly efficient firms were able to hold their own against foreign competition, must the country face higher prices to enable less efficient firms to carry on? The Committee dismissed, as inapplicable to the great majority of Irish industries, the argument most commonly used in advocating protection—that it would assist 'infant industries' to become firmly established. 'As a matter of fact,' said the Committee's Report, 'very few Irish industries are in the infantile stage. The experimental period is with most of them a thing of the past; many of them have a long and not altogether unsuccessful history.' In some cases it could trace without difficulty the point in their history at which debility set in. Failure to adopt

modern machinery or to foresee the great changes in modern taste were in some cases obviously the cause.

Further, the Fiscal Committee questioned whether a protective tariff would bring about the improvements anticipated. 'That a protective tariff will increase the cost of living in proportion to its extent,' they said, 'is self-evident.' Some industries which demanded protection could not possibly supply the whole Irish market for years to come. The Irish boot industry, for instance, supplied only one-fifteenth of all the boots and shoes sold in Ireland. Even in cases where the Irish demand could be supplied, the natural difficulties of producing for a small market would tend to bring about agreements to avoid competition in order to keep prices as high as possible. Other complications would also be inevitable. Restrictions on imports designed to help one industry must in certain cases have an adverse effect upon other industries for different reasons. Agriculture could not fail to be injured by any considerable introduction of protective tariffs, and the great bulk of Irish exports were agricultural products. If the wages of the agricultural labourer rose (as the Committee considered they must, in consequence of any rise in the cost of living), then the cost of the products of agriculture must rise with them, to the detriment of their sale in foreign markets. Even in regard to industries catering solely for the Irish market, the Committee could see no case for protective tariffs. 'It may be safely assumed,' they declared, 'that an industry which would be sufficiently protected by a tariff of five or ten per cent. is not in serious need of protection at all. What such an industry requires is rather the increasing efficiency both of management and labour which competition tends to stimulate.' And competition, the Committee believed, would be most seriously curtailed under a protective system. They viewed

with distrust the popular idea that foreign industrial countries would erect factories within the Free State as a means of avoiding the tariff—as the Imperial Tobacco Company had already done. Such new factories financed on a scale with which the existing Irish industries could never compete, would naturally bring about arrangements for the avoidance of competition, which would rapidly produce price-rings, if not an actual monopoly of production. And the probability of such effects from any tariff system would compel the Government to establish some means for controlling prices ; so that the public would have to bear three separate additional burdens : the higher prices resulting from protection, the expense of administering the collection of import duties, and also the cost of supervising the employers who benefited by protection—to say nothing of the additional delays and vexations and expenses involved in all transactions in which protected goods were included.

In short, the Committee's Report was a comprehensive argument against the imposition either of a protective system such as nationalist economists had long advocated, or even against particular tariffs to assist certain industries. Only one argument for protection was finally admitted by the Committee, and it was put forward with a strong note of caution. 'The preponderance of agriculture over industry in the national life,' the Report concluded, 'has been held to be due to a faulty or arrested development, and it is claimed that a better balanced state would be reached by fostering industry for a time even at the expense of agriculture.' On that argument the Committee declined to express any opinion, but it pointed out that economic considerations must be regarded definitely as being objections to such a policy, which the statesmen must seriously take into account before overruling them. With such a report the farmers

might well feel satisfied; and in a country so predominantly based upon agriculture the question might have been regarded as settled. But the Government refused to adopt the Committee's Report as a binding document, and in pursuance of the policy of building up a self-contained nation, equipped with its own industries as far as might be, it has deliberately imposed a large number of protective tariffs even while admitting that the farmers must face higher prices for certain things before the State could reach the maturity that was desired.

In introducing the Tariff Commission Bill in June 1926, Mr. Blythe stated quite frankly that 'with the passage of this Bill we shall have said good-bye to doctrinaire free trade.' It would mean that the Government recognised that economic conditions in the country could be definitely improved by the use of tariffs. 'It means, moreover,' Mr. Blythe continued, 'that we are prepared, in suitable instances, where a case has been made out, to use additional tariffs for the purposes of promoting employment and industry and general economic advancement in the Saorstát.' But the Bill also meant that the Government felt that, for the future, applications or proposals for the imposition of tariffs should be examined more minutely and in a more formal and deliberate way than had been the case in the past; that for the future it could not impose tariffs without the fullest investigation and without the use of all the powers given in the Bill for getting at the facts.

When tariffs were first introduced, Mr. Blythe continued, and the country had not been able to think about them, it had been permissible for the Executive Council to come to conclusions after making such private enquiries as were possible as to whether particular tariffs should be imposed. But it had become clear to Ministers that without adequate machinery

they could not arrive at the facts with the fullness and certainty that were necessary. While information could be obtained only from people who would benefit directly by tariffs, they could not get a complete picture of the whole situation before imposing a tariff; and a tariff, once imposed, was always difficult to take off. Under the Bill, proposals for tariffs would only be made by people interested, and they would be considered only when a substantial proportion of the people engaged in the industry, or proposing to engage in the industry, applied. Cases might arise where industries which did not exist previously might have to be considered. The Government had considered the beet sugar industry by means of an *ad hoc* committee; and if any similar proposal occurred again they still thought that it should be investigated by some *ad hoc* body. Such proposals must be entirely experimental.

For all proposals which would come within the scope of the Bill, there would be materials for detailed examination. The economic facts could be ascertained and a decision could be come to with a considerable degree of certainty as to what the results of action would be. For that reason the Government itself would not refer proposals to the Tariff Commission; and bodies interested in protection or in industrial development, or propagandist organisations, would not be able to bring proposals before the Commission. The Commission would not deal with general principles nor decide policy. It need not definitely recommend for or against a tariff in particular cases. The imposition of tariffs must be the responsibility of the Executive Council and of the Dáil. 'What we do propose to get from this Commission,' said Mr. Blythe, 'is a thorough investigation of the facts—as complete an investigation as is possible. And we expect, under the nine heads set out in the schedule,

to get the material whereby the Executive and the Dáil can judge whether a case has been made for a tariff in a particular instance, what the results of such a tariff might be, and what its duration would probably have to be.'

The personnel of the Commission was to consist of civil servants, but the Government retained its freedom to appoint anyone else. The Commission was to have power to regulate its own procedure, and to decide whether or not the public should be admitted to any or all of its sittings. In order to prevent trivial applications it was decided to impose a fee for each enquiry. And to give the fullest possible authority to the Commission, it was to have power to compel witnesses to attend and to answer any questions put to them. Until then, the Government had not been able to insist upon answers from manufacturers, even if they came to request the imposition of a tariff, and it had not been able to summon other witnesses to check the information supplied by applicants for tariffs.

Such a proposal, obviously modelled upon the procedure adopted by Mr. Baldwin's Government in London, was in Ireland certain to meet with criticism from free traders and protectionists alike. Mr. Heffernan, in the name of the Farmers' Party, immediately attacked the Bill on the ground that the Government had no mandate to embark on a system of tariffs. He accused Mr. Blythe of violating the pledge he had given in the Budget of 1925, that after that year the Government 'would not break any further fresh ground in the matter of protective tariffs before the general election.' In view of that pledge he must either regard the Commission as a futile proposal or else convict the Government of breaking faith. He reminded Mr. Blythe that both he and the Minister for Agriculture had definitely

stated that tariffs would increase the cost of living, and also that agriculture—the basic industry of the country—could not stand any further increase in the cost of living and of protection.

But while the Farmers' Party, with agriculture as their chief concern, objected furiously to this machinery being set up for introducing further tariffs, Mr. Johnson renewed the constant demands of the Labour Party for protection as a means of relieving unemployment. He opposed the Bill even more strongly on the ground that it was no substitute for the policy he advocated ; and not less because it gave the initiation of the imposition of tariffs to private interested parties instead of assuming it as a responsi bility of the Government. The policy under the Bill, he complained, was that interested parties should come and plead for concessions, which would be considered in relation to the interests of the applicant. The question of national well-being did not enter into it. The Bill was supposed to be built up with reference to the precedent of the South African Tariff Board. There was no real analogy between the position in the Saorstát and in South Africa. The Bill proposed to set up a Commission to enquire into proposals for new tariffs, whereas South Africa had had a general tariff for a number of years. The Commission would not have to hear complaints about the working of existing tariffs, but would examine applicants for tariffs as though they were something personal.

In principle Mr. Johnson insisted that a Tariff Commission, but of a very different kind, ought to exist. It should be armed with greater power and much greater authority to deal with the incidence and effect of tariffs, whether upon the industries or the public, and it ought to know the policy of the Government in regard to tariffs. Mr. Blythe had ruled out all consideration by the Commission of

cases in which an industry was capable of development and expansion if it got the benefit of a tariff; obviously because they already had the machinery for making enquiries into any question regarding tariffs. He considered that there was absolutely no necessity for the Bill. One of the amendments which he moved was, in fact, based upon the precedent of South Africa. He proposed that the Commission should report to the Government whenever prices charged for protected articles were unduly high, or when wages or conditions of employment in such industries were unsatisfactory, or when there was restraint of trade or other action by protected industries injurious to the public interests; and that if adequate steps were not taken within six months to remedy such complaints, the tariff protection should be reduced or abolished by the Executive Council.

A very full debate followed, in which the Government was accused by the farmers of ignoring the interests of agriculture and by the protectionists—including Mr. J. J. Walsh, the Minister for Posts and Telegraphs—of lacking courage to adopt a policy of high tariffs which would create new employment everywhere. The farmers replied that they did not believe the statistics which appeared to prove that new employment had been provided as the result of tariffs and at the cost of increasing prices; and argued that far more new employment could be provided by drainage schemes. Mr. Blythe summed up the Government's attitude towards a very thorny question by saying that it would be impossible for several years to know really what the effects of the tariffs already introduced had been. He had no intention of introducing tariffs as a general policy, but if the Government became convinced that certain industries were going to collapse, or would be very seriously prejudiced by existing conditions, their claims to pro-

tection would be considered. He told the farmers that it was a short-sighted view to say that merely because agriculture was depressed, nothing must be done for industry; but the Government felt very strongly that no serious burden must be imposed on agriculture. In the Senate he went somewhat further when he said that the Government was not prepared to impose tariffs on any article that could be produced, or had formerly been produced in the country; but it 'was not prepared to leave industrial progress entirely to private enterprise.' He pointed out that distance from other countries of production no longer gave protection against foreign competition, and that Irish industrialists could not be expected to lose money year after year in the face of keen foreign competition while they were trying to establish connections, to train their workers, and to enable the industries to take root. But the Government, he said, was firmly convinced that a general tariff would be economically disastrous to the country 'because it would condemn them to uneconomic and inefficient methods in certain industries.'

Mr. McGilligan, in a debate in the Dáil in November 1927, repudiated criticism by various parties that the Government had been afraid to introduce a protective and tariff system. He claimed that roughly one-half of the imports into the country could not be taxed, but that of the remaining 30 millions some 15 millions were already taxed. In reply to a question a few days later, he gave to the Dáil on November 10th a full list of the imports which are already subject to taxation, whether for protective or for revenue purposes. As a matter of curiosity, it is worth while reproducing the list for purposes of comparison with the existing tariffs in Great Britain. The total list is as follows: margarine, oat products, currants, raisins, preserved fruits, tinned or bottled jams, etc., cocoa, hops,

spices, confectionery (except chocolate), sugar, glucose, molasses, saccharine, vinegar, drink, tobacco, bottles, cinema films, clocks and watches, wireless sets and parts, touring cars, commercial vehicles, motor cycles, chassis, motor car and cycle parts, new and second-hand furniture and domestic woodware, blankets, apparel, shaped leather soles and heels, playing cards, perfumed spirits and dutiable medicines, candles, soaps and soap substitutes, turpentine, varnish, bedsteads, household brooms, matches, pianos and pianolas, other musical instruments and their parts, billiard tables and accessories, and rugs.

CHAPTER XVII

BALANCING THE BUDGET

The first 'normal' Budget, 1924-5—Budget statement of 1926—Remissions of taxes in previous years—Abolition of double income tax—Allowances for 'abnormal' expenditure—A balanced Budget—'Abnormal' expenses in detail—Budget statement of 1927—Reduction of 'abnormal' expenses—Capital outlay on productive schemes—Cost of the Army—A shilling more off the income tax—Main sources of revenue—Analysis of annual expenditure.

Not until the Budget of 1924-25 was introduced, could Mr. Blythe present anything even approaching the conditions of normal finance. The transition year of 1922-23 had involved all sorts of unusual expenses and dislocations. But even the swollen estimates of the Budget of 1922, which had to provide for an expenditure of £37,709,000 within the year, were far exceeded in the following year as the result of civil war. The Budget presented in the disastrous spring of 1923 had to provide for an expenditure of no less than £42,000,000—practically half of this being required to pay £10,385,000 for compensation claims, and £10,664,500 for the Army. And although the Budget of 1924-5 showed an immense improvement, with the expenditure estimates reduced from £42,000,000 to less than £32,000,000, yet the whole financial situation was still profoundly affected by abnormal conditions. Large compensation claims were still outstanding; reconstruction of the wreckage caused by the Black and Tans, and still more in the

civil war of 1923, involved an immense outlay of expenditure; demobilisation of the Army, which had been increased to large proportions on a war footing, had only begun. Arrears of taxation were only beginning to come in, and the Revenue was to be swollen for several years afterwards by the Government's success in collecting belated payments from this source. But the year 1924 saw the foundations of the Free State's financial system securely laid. The first serious attempt to frame a normal Budget, balancing revenue and expenditure, was made in the Budget of that year; and in the previous autumn the first National Loan for £10,000,000, intended to liquidate the costs of recent destruction in the civil war, had been successfully floated and over-subscribed within three weeks. Moreover, the Budget of 1924 introduced the first definite attempts by the Government to impose protective tariffs for the encouragement of Irish industries; and this policy, developed much more extensively in the following year, has become definitely included in the financial programme of the Free State. Mr. Cosgrave's party have avowed their own intention of pursuing this protective policy on a limited scale. The two principal opposition parties—the Republicans and the Labour Party—are both committed to carrying it much further than the present Government has done; and the fiscal policy of the Free State must therefore be regarded as being likely to continue on protective lines.

Limitations of space do not permit of any close examination of the earlier Budgets here; and it is necessary to confine attention chiefly to the two most recent Budgets of 1926 and 1927, which have shown a rapid consolidation of the new financial system and have brought conditions to a basis which may henceforward be regarded as normal. In introducing the Budget for 1926, with the total Expenditure Estimates

reduced to £28,640,000, Mr. Blythe was able to survey a year during which no serious financial or economic disturbances had occurred. On the contrary, an immense relief had been obtained by the London Agreement of the previous December which had eliminated Article 5 from the Treaty, in return for the Free State's abandonment of its claim to recover part of the territory of Northern Ireland under the operation of Article 12. The elimination of that Article, Mr. Blythe frankly admitted in his Budget speech, 'had relieved the country of a contingent liability which might possibly at a later stage have become a serious burden.' Its removal had helped considerably to strengthen the public credit of the State. During the year the price of the 5 per cent. National Loan had steadily risen above its price of issue at 95, and more than once had touched the peak figure of 99. Deposits in the Post Office Savings Bank had risen during the year from £2,177,000 to £2,402,000; and Savings Certificates—which had throughout been the surest barometer of confidence in the State—had risen by nearly £600,000. The new financial year, he explained, now opened with an outstanding debt of £13,653,270; and though the State's definite liabilities (as distinct from the undefined liability involved in the original Article 5 of the Treaty) had been increased by the London Agreement of December, there had been a substantial improvement in several other directions. In 1924 Mr. Blythe had had to tell the Dáil that he must regard the sum due to the Exchequer by the Unemployment Fund as an asset of doubtful value. But in 1926 he saw every prospect of the amount—some £1,270,000—being repaid.

Even without allowing for this, the comparison with the position a year before was satisfactory. When the Budget of 1925 was introduced the outstanding debt of the Free State had been £13,360,000

with a balance of £1,681,000 in the Exchequer—giving a net figure of £11,679,000 indebtedness. The indebtedness had inevitably increased during the year, according to anticipations, and the outstanding debt now stood at £13,653,270, with a balance of £233,250 in hand in the Exchequer. But although the debt had increased, owing to payments of compensation claims and owing to the inflated expenditure still required for the Army until order was completely restored, this figure of roughly 13½ millions of debt was little more than half of one year's revenue. The previous Budget had made large remissions of taxation in various directions. Local rates had been relieved to the extent of £600,000; postal charges had been lowered (though they still remained higher than in Great Britain or Northern Ireland), and there had been a remission of £1,189,000 in taxes. The estimate, after allowing for these substantial measures of relief, had been that revenue would total £21,365,000; and actually it had realised £232,000 more than had been expected. Excise duties had produced substantially less than was expected, but Customs revenue had yielded £38,000 above the estimate, and all the direct taxes gave better results than were expected. Estate Duty had yielded £125,000 more than the estimate, and Income Tax and Super Tax had yielded £325,000 more than was anticipated. Corporations' Profits Tax, owing to the collection of large arrears, had yielded more than double the estimate made by Mr. Blythe. These figures showed the difficulty of forming accurate estimates, and also that the Government had succeeded far beyond its hopes in collecting arrears of taxation.

But the prospects of a similar yield of revenue in the coming year were clearly not so favourable. The Budget remissions for the previous year had only been operative for part of the period under review; and

while they had given relief to the extent of £1,850,000 in comparison with the Budget of 1925, the relief would amount to £2,300,000 during 1926-27. The existing taxes must be expected to produce about half a million pounds less than in the previous year. Income Tax and Super Tax were certain to yield less, as the rate of Income Tax had been reduced from 5s. to 4s. in the previous Budget; and the pool of arrears which had compensated for the reduced rate of the tax was nearly exhausted. The economic depression of the country also had to be recognised, though the only clear indication of it in the year's revenue had been in the beer and spirit duties. In view of these various conditions, Mr. Blythe decided to make practically no change in existing rates of taxation, apart from imposing a Customs duty of 2s. per cent. on imported oatmeal, to protect a number of mills from imminent danger of having to close down, and to provide a home market for more oats.

The main feature of the Budget was the introduction, by agreement with the British Government, of a reciprocal exemption from income tax of citizens of each country. The agreement, Mr. Blythe explained, adopted the principle of 'the reciprocal exemption of the non-resident' which had been strongly recommended by the Financial Committee of the League of Nations. The adoption of this simple solution for a most complicated problem freed the Irish Treasury officials from an immense amount of difficult investigation, and removed a very real grievance from many Irish taxpayers whose dividends derived from investments in Great Britain had hitherto been subject to taxation in both countries, with protracted delay before rebates could be paid. Apart from bringing this very welcome relief from the irritation and hardship which had been caused by the double income tax, the Irish Government anticipated no immediate change in

either direction. Both the Irish and the British Treasuries, said Mr. Blythe, had decided, upon investigation, that their losses and gains would leave them approximately where they were before.

Revenue from all sources was estimated under the Budget of 1926 to produce roughly £23,712,000; and with this the Government had to face the problem of financing expenditure during the year estimated at £28,637,000. The deficit anticipated for the whole year was therefore little short of five million pounds—even in 1926, when conditions had already approached nearly the normal. Very considerable items of expenditure, however, were undoubtedly of an abnormal character; and Mr. Blythe had made it a regular policy, which even the most orthodox critics could scarcely condemn, to discriminate, in his Budget proposals, between expenditure which must be regarded as normal and recurrent, allowing a fair margin for more or less abnormal expense, and expenditure under certain other heads which can honestly be regarded as outside the ordinary requisites of the annual Budget. Such abnormal expenditure is, of course, of two kinds: first, the greater proportion of the cost of paying for the devastation caused by civil war at the outset of the Free State; and secondly, expenditure for productive purposes which would be naturally financed by borrowing in any country.

The dangers of such a policy are quite obvious; but it must in fairness be admitted that Mr. Blythe has been fully alive to them. No man could have concentrated with greater firmness and singleness of purpose upon the absolute necessity of cutting down expenditure to a level at which revenue alone would cover all that was required. But to expect the Free State to finance out of revenue alone the entire cost of paying compensation claims and of restoring order after civil war, and also to finance the economic develop-

ment of the country in its backward state, was, on the face of it, impossible. Mr. Blythe was confronted with two special difficulties. He could not increase taxation, because the economic condition of the country was already fearfully depressed by previous destruction and by the results of the European war. Nor could he even maintain taxation at a higher level than in Great Britain without increasing still further the tendency on the part of the propertied classes of the country to leave Ireland altogether and settle elsewhere. His determined efforts to economise by cutting down the civil service and hastening the demobilisation of the National Army, inevitably added to unemployment and made the Government more unpopular, while increasing the forces of discontent, which under existing political conditions involved a real menace to the credit of the Free State. In such circumstances there was no alternative but to restrict the immediate burdens upon the taxpayer as far as a reasonable prudence would allow, while deliberately borrowing, on a well secured basis, to meet the expenses of compensation claims and of productive enterprises.

Faced with a deficit of nearly 5 millions in 1926, Mr. Blythe announced that, with retrenchments which would become possible during the year and with a considerable margin of over-estimation in the amounts allotted to each Department, he could count upon a substantial lessening of the deficit. This allusion to over-estimation had a suggestion of incompetence in the Treasury, but Mr. Blythe explained that the British system of estimating had not been found applicable to fiscal conditions in the Free State; and that experience had shown that the margin of over-estimation was as great as the Treasury anticipated it would be. Allowing therefore for these retrenchments, and for the Expenditure estimates being higher than the amount of money which would actually be

spent, he could not regard the total deficit as being more than £3,780,000. And he proceeded to show that this deficit was actually less than the amount which he considered to be a proper subject for public borrowing. He enumerated under different heads, as he had done in previous Budgets, the various sums which it was proposed to provide by borrowing instead of taxation, and their aggregate amount totalled £4,430,000. The Budget therefore reached this final form. Revenue was expected to produce £23,712,000. Expenditure of all kinds was estimated at £28,638,000. But from this, £4,430,000 must be deducted for items which were proper subjects for borrowing, so that the net expenditure to be met without borrowing during the year would be £24,208,000. This was £496,000 more than the estimate of revenue; but he counted upon saving at least £650,000 by retrenchments and through over-estimation by the different Departments. Hence, the apparent deficit of almost half a million pounds would in fact be transformed into a surplus of almost £150,000.

By such means Mr. Blythe presented a Budget which he could regard as covering all normal recurrent expenditure (using the term in a wide sense, which included a great deal more than it would literally mean) by the revenue anticipated for the year. Actually, his anticipations were more than fulfilled. The year's expenditure, subject to the small deductions which he had made in reckoning what was normal or extraordinary, was in fact more than covered by the revenue which the Irish Exchequer collected. The vital point, in deciding whether Mr. Blythe pursued a sound financial policy or not, is to examine whether he made excessive deductions from what had actually to be met during the year. At any rate Mr. Blythe cannot be accused of having deceived the Dáil in the

matter. He dealt with it at some length, in proposing to adopt once more the method which he had applied in previous years. It would be wrong, he stated most emphatically, merely 'to pick out all expenditure which was of other than entirely normal character and add it to the list of items for which debt might be incurred. Any one,' he said, 'could easily find a large number of items of expenditure which had been swollen by some unusual set of circumstances during the year. But a wide margin must be allowed in every year for such unforseen contingencies.' 'Abnormal expenditure under particular heads in one year,' said Mr. Blythe, 'is likely to be followed by abnormal expenditure of somewhat similar amounts under different heads in the next year. Moreover, even in the same year unusual costs in one direction frequently balanced to some extent exceptional savings in another.'

If these considerations were not borne in mind, the country might easily find that it 'had begun to pile up debt to meet the ordinary costs of Government.' Nevertheless, the Government was, he said, in view of existing circumstances, 'prepared to cut close to the bone in separating capital and abnormal charges which must be met out of current income.' In all the recent Budgets this separation of abnormal from normal expenditure has been the crucial question. Mr. Blythe's whole financial policy must be judged by the way in which he has used his discretion in the matter. The Budget of 1926 was unexceptionable apart from these allowances. It covered normal expenditure amply by revenue; it made no new remissions of taxation to earn popularity for the Government. Only on this question of regarding certain items of expenditure as abnormal and justifying the creation of a new debt, can any serious criticism be urged against it. No better test of Mr. Blythe's financial orthodoxy can be applied than to set down the items

which he decided to exclude from normal expenditure, and to compare with them his treatment of the same problem in the following year. The following is a summary of the ten different heads under which he claimed the right to borrow in order to meet current expenses :

Local Loans, £500,000, provision in respect of new capital ; *Public Works and Buildings*, £560,000, out of a total provision of £714,790 ; the entire provision of £2,170,600 for *Property Losses Compensation ;* £40,000 *capital grants to Universities and Colleges ;* £56,800 in respect of the proposed *new faculties of General Agriculture in Dublin and Dairy Science in Cork ;* £200,000 *abnormal expenditure* out of the £300,000 *for the improvement of estates by the Land Commission ;* the whole advance of £75,000 *to Agricultural Credit Societies ;* £475,470 of the *Army Vote*, being the excess over £2,000,000 for this Vote ; £179,000 for *Army Pensions*, being the amount by which the provision of £430,000 *exceeded what would be required in a normal year ;* and £50,000 capital subscription to the *Industrial Trust Company of Ireland.*

In his next Budget Mr. Blythe had to face the same problem. Abnormal expenditure still continued, so long as compensation claims were still outstanding, and so long as the maintenance of order and public security still required the maintenance of a standing Army organised on an excessive scale. Once again Mr. Blythe made considerable deductions from the total expenditure in order to justify further borrowing. The list of such items in 1927 forms an illuminating comparison with that of 1926. Their aggregate total is substantially reduced. In 1927 it is £3,463,000, compared with £4,430,000 in 1926. And the separate items afford an interesting comparison. Towards *Local Loans*, the provision in respect of new capital figures at £234,000 instead of £500,000. For *Public*

Works and Buildings the amount allotted for new borrowing is £375,000 (out of a total £583,000) instead of £560,000 (out of a total £715,000) in the previous year; £20,000 instead of the previous year's £15,000, in the total provision of *compensation for premises commandeered by the Government;* and £145,000 instead of the previous year's £108,000, in total provision of *expenditure on drainage works.* Whereas this last expenditure on a productive undertaking has been substantially increased, there has been a very large saving on the next item, which represents liquidation of initial burdens; the entire year's allowance for *Property Losses Compensation* has fallen from £2,170,500 in 1926 to £979,000 in 1927. The next item is again for a productive purpose, and shows an increase. The *Department of Agriculture* receives £51,500 for capital expenditure, in connection with the establishment of General Agriculture and Dairy Science in Dublin and Cork; £19,000 being the amount by which the provision for *loans for agricultural purposes* exceeds the amount expected to be received in repayment of such loans; and £85,000 as the entire provision for *special loans to the Co-operative Creamery Societies*—a total of £155,500 as against £56,800 advanced to the Department of Agriculture in the previous year. *Forestry* accounts for the next item—to the extent of £25,000, being half of the £50,000 provided for the purchase of land and cultural requirements under the Government's scheme. There had been no item corresponding to this in the previous Budget, but the Universities and Colleges had received £40,000 by way of capital grants in the Budget of 1926, which do not reappear in 1927. Next comes the *Land Commission.* In 1926 it had been allotted £200,000, from the margin of capital outlay by the State, being two-thirds of the amount voted for the 'improvement of estates which may fairly be regarded as abnormal'; and in 1927 it received

slightly less—£174,000 out of a total provision of £274,000 for the same purpose. Next Mr. Blythe had claimed the *Agricultural Credit Societies* as deserving special treatment; in 1926 they received £75,000 (the whole estimate) out of capital outlay, and in 1927 slightly more, £84,000.

With the provision for the *Army* the Budget of 1927 presents its most debatable aspect. Mr. Blythe reckoned the conditions as being now so far stabilised that it was no longer necessary to regard £2,000,000 as the normal Army estimate, and that anything above £1,500,000 could be treated as abnormal expenditure. The result was that whereas in 1926 only £475,500 was to be funded out of the expenditure on the Army, this amount increased to £688,000 in 1927. Next, in regard to *Army Pensions*, having decided that £430,000 is to be regarded as the reasonable normal expenditure in any year, Mr. Blythe allots the excess beyond this amount to capital outlay on the establishment of the State. The amount has dropped very considerably, from £179,000 in 1926 to £57,000 in 1927. Finally there remain the Central Fund Services. In 1926 provision has been made to borrow £50,000 to cover the Free State's capital subscription to the *Industrial Trust Company of Ireland*; in 1927, there is a much larger item of £530,500 required to repay with interest the *internal loan issued* by the officially unrecognised *Dáil Eireann* during Sir Hamar Greenwood's regime in 1919-20.

Dividing these various items into two main groups, one can compare the proportions occupied in each of the two years by expenditure on productive purposes and on the liquidation of initial costs respectively. The comparison is illuminating and also encouraging. In 1926, out of a total expenditure of £4,430,000 which had to be met by borrowing, £2,840,000 was accounted for by Compensation Claims, Army expenditure and

Army pensions; while only £1,590,000 was raised by borrowing for reproductive or educational purposes. In 1927, on the other hand, the amount to be raised by borrowing for educational or reproductive purposes bears a much larger proportion to the total estimates of this kind; while the need for borrowing to liquidate compensation claims and the cost of establishing peace is much less. Were it not that the Government had to raise more than half a million pounds to pay off the bondholders of the Loan issued by the first Dáil in Sir Hamar Greenwood's time, the expenditure on Compensation Claims, Army Pensions and the Army within the year would only have amounted to about £1,740,000 as against £2,840,000 in the previous year. And at the same time the Government had found it possible to require less by new borrowing for educational and reproductive purposes—the total being £1,172,500 as compared with £1,590,000 in 1926. Moreover it should be noted, in justice to Mr. Blythe, that his last Budget shows a definite attempt to finance even these reproductive outlays out of income instead of borrowing; since half the amount required for the Government's afforestation scheme is to be provided out of income; while both for Public Works and Buildings, and for the Land Commission's improvement schemes, only part of the money allotted is raised by borrowing.

One feature of Mr. Blythe's last Budget was obviously open to criticism, and was in fact severely criticised. He estimated his revenue for the coming year at £24,450,000, against an expenditure to be met out of revenue amounting to only £23,810,000. But this apparent surplus would have almost disappeared if he had not decided to reduce by £500,000 the proportion of the Army Estimates which must be met out of revenue during the year. In the previous Budget he had provided £2,000,000 out of revenue to cover the

Army Vote. This year he decided to provide only £1,500,000, and to cover the remainder of the cost of the Army during the year by borrowing. There was, of course, a good arguable case for such a policy. The temporary cost of the Army was admittedly no more than an insurance against disorder while the new State was consolidating its position; and such abnormal costs might legitimately be covered by borrowing in order to ease the immediate burdens upon a country suffering acutely from economic depression. Mr. Blythe explained that the whole organisation of the Army would soon be reconsidered, and that a smaller standing Army, with a large Reserve capable of rapid mobilisation, would soon take its place.

But this reduction of the provision for the Army was a drastic measure, the purpose of which was plainly connected with the impending general election. The previous Budget had brought virtually no new measures of relief, apart from the more convenient arrangement for avoiding double income tax. It was only natural that the Government should desire to propose some measure of relief on the eve of the general election; and this announcement that half a million pounds of revenue could be released for other purposes than to pay for the upkeep of an Army was in itself of a certain psychological value. It showed that the Government itself faced the future with growing confidence, believing that the danger of serious disorder was at an end. Mr. Blythe was determined to produce a Budget which would have a reassuring effect, and in concluding his speech he recapitulated the very important remissions of taxation that had been granted by the Government. The tea-duty, formerly of 8d. per pound, had, he reminded the country, been entirely abolished, together with the corresponding duties on coffee and cocoa. The duty on sugar had been reduced from 2¾d. to 1d. per lb. Rates on agri-

cultural land had been lessened by 1s. in the pound since the Government had doubled the agricultural grant. Telephone charges had been reduced. Corporation profits tax was now charged only on profits above £10,000. Income tax had been reduced from 5s. to 4s. in the £.

All these concessions had been made in previous Budgets. Mr. Blythe naturally desired to do something more before the dissolution of the fourth Dáil a few months later. The first problem was to find means of doing it: the second, to know what to do with the relatively small sum that could be released. In general the Budget did undoubtedly show such signs of steady improvement that some further concession might be justified. The Budget had been balanced hitherto only by treating certain items of expenditure as abnormal, and providing for them by borrowing. But even the relatively small total of these different items was tending rapidly to disappear. They had totalled nearly 4½ millions in 1926; and the corresponding items for 1927 would have totalled less than 2½ millions, had not the Government been called upon to pay back the loan issued by the first Dáil. Even with the addition of that loan, the total was still less than 3 millions as against 4½ the year before. The total could still be increased considerably without requiring so much new borrowing as in 1926, and Mr. Blythe decided to allow himself a little elbow-room. By transferring half a million pounds from the provisions for the Army Vote out of income, and counting that amount as an abnormal expenditure on the restoration of order, he could still keep his demands for new borrowing below 3½ millions (as against 4½ in the previous year) and release half a million pounds of revenue to give some sort of encouragement to the country before the elections took place.

It was perhaps a lapse from financial orthodoxy, but

the conditions justified it. The amount involved was small, and restoring order certainly might be regarded as a legitimate case for borrowing rather than paying out of revenue. The problem was to discover some substantial concession that could be made which would not sacrifice more than half a million pounds of revenue. Mr. Blythe examined in his speech the various possible alternatives that had been possible. Briefly, the only alternatives worth considering were either to reduce the duty upon beer and spirits, or else to reduce the rate of income tax; and Mr. Blythe not only chose the latter but took a considerable risk in deciding to reduce it by a further full shilling in the £. For the past year the Irish income tax at 4s. had been actually higher than the rate in Great Britain, since Mr. Churchill reduced it to 3s. 6d. A reduction to the English level could have been safely managed without difficulty; but Mr. Blythe decided deliberately to go further with a definite object in view. A higher income tax in Ireland had obviously been a definite discouragement to the return of those who had left the country. By reducing the rate below the English level, Mr. Blythe was gambling on the possibility of bringing back many of the *émigrés* who had left the country in the troubled years, and also on the chance of attracting capital to Ireland from abroad. In the year for which he had to provide there was no difficulty about the loss of revenue it must entail. But in subsequent years, when the reduction had become fully operative, it would cost the Exchequer about £1,000,000, or nearly double the margin which he had available. It was a bold gamble, and it is too early yet to know whether Mr. Blythe's anticipations were justified. He counted not only upon bringing new capital into the country and encouraging the richer *émigrés* to return; but upon stimulating enterprise in Ireland itself.

His decision was severely criticised in the Dáil—not only because he had provided the surplus of revenue only by deciding to borrow part of the requirements for the Army, but especially by the Labour Party on the ground that the relief afforded would benefit only a small section of the people. Mr. Blythe himself had admitted that there were only 60,000 income tax payers in the Free State. It was probably no exaggeration on Mr. Johnson's part to argue that fully three-fourths of these were under the £500 limit, and consequently would not feel any serious benefit from the change. The real benefit of the reduction would, as Mr. Johnson argued, affect no more than about 15,000 people. But the income tax payers, though few in number, have been one of the chief sources of revenue to the Free State; and it is chiefly upon them that the Government has had to rely to promote industrial enterprises and create new confidence in the country's future. Mr. Blythe's concession to them was part of a deliberate policy of restoring confidence.

Taking the Budgets of the last few years, it is now possible to form a fairly accurate estimate of the country's main sources of revenue. In a country whose population consists, in the vast majority, of small farmers, the number of income tax payers must always be relatively small, and the collection of income tax a matter of great difficulty. Mr. Blythe's last Budget, with its drastic reduction of income tax to 3s. in the £, will make this form of taxation—which is the mainstay of the English Budget—play a smaller part in future Budgets of the Free State; and it may be expected that, in time, there will be wider exemptions of small incomes, in order to reduce the trouble of assessing and collecting the tax where only small amounts can be expected. The Finance Accounts for 1925-26 show that income tax and super

tax[1] yielded about £5,650,000 out of a total tax revenue of £25,440,000; while in the year ending March 31st, 1927, the contribution from income tax and super tax had fallen (owing to the previous remissions) to £5,060,000. The returns for 1927-28 will show a still further shrinkage of revenue from this source. In the last two years Customs and Excise have been the main sources of revenue, each producing about the same amount; while in both years the income tax and super tax revenue had been the third principal item.

The receipts for the year 1926-27 may be regarded as the normal expectations of an Irish Finance Minister under modern conditions, subject to the certainty of receiving less from income tax in consequence of the reduction in its rate. The total tax revenue for the year 1926-27 was £25,060,000; of which Customs and Excise duties together (£6,840,000 and £6,700,000 respectively) produced roughly half. Income tax and super tax produced £5,060,000; the Post Office, £1,690,000; estate duties £950,000; motor vehicle duties £910,000; stamp duties £460,000; Corporation Profits Tax £400,000; and miscellaneous duties and fees £2,290,000. There was a large increase in revenue from Excise over the previous year's figures, and also in the motor vehicles duties; but Customs yielded less; while the Corporation Profits Tax and Income Tax both yielded substantially less in consequence of the substantial remissions that had been granted.

The two principal sources of revenue were chiefly derived as follows. Practically half the Customs revenue came from the duty on tobacco; nearly £900,000 came from the duty on sugar; nearly

[1] In reply to a question in the Dáil in November, 1927, Mr. Blythe stated that the net yield of super tax for the past three years had been: 1923-4 £504,000; 1924-5 £491,000; and 1925-6 £542,000.

£700,000 from foreign and colonial spirits; more than £650,000 from imported clothing; and about £250,000 each from the duties on imported beer, boots and shoes, motor cars and accessories, and wine. The Excise revenue was derived chiefly from five sources. More than half of the £6,700,000 received was from duty on beer, and the spirit duty produced £2,400,000. The other three principal items, totalling about £400,000, were the entertainments tax, spirit licences, and dog licences.

The principal items of the year's tax revenue of 25 millions can therefore be summarised as follows: Income tax and super tax contribute 5 millions, tobacco contributes 3, beer 3½, spirits 2½, and sugar nearly 1 million. None of the other many duties produce 1 million, whereas these six taxes between them yield 15 out of the 25 collected.

The principal items of expenditure may be similarly summarised. Apart from capital expenditure (*i.e.*, temporary grants to the Unemployment Fund, and grants to the Telephones, to the Shannon scheme and to the Industrial Trust Company of Ireland), the total outgoings amounted to £27,030,000. Of this, roughly 2 millions was spent on compensation claims. The remaining 25 millions of current expenditure was accounted for as follows. The largest single item is Primary Education, costing 3½ millions. Old Age Pensions and the Army each cost 2½ millions; the Post Office 2¼ millions; other Pensions of all sorts 1¾ millions; the Civic Guard 1½ millions; and about 1 million was spent on each of the following: Debt Services (including debt repayment); payments to Local Taxation Accounts; the Road Fund; Local Loans; and the Ministry of Agriculture. These main items between them account for roughly 19 millions out of the year's 25 millions of more or less normal current expenditure.

PART III

THE WORK OF RECONSTRUCTION

CHAPTER XVIII

UNEMPLOYMENT

The Government's most anxious problem—Demobilisation and reduction of the civil service—The Labour Party's complaints—The Government's efforts—Grants for housing and roads still partly unexpended—Mr. de Valera's panacea—Mr. Hogan's reply—Republican Party's vague schemes—Government welcomes capital from abroad.

NONE of the many difficulties that contributed to the chaos in which the Free State was born, has caused more anxiety to the Government or done so much to provide common ground for those who were discontented, as the heavy burden of unemployment. Under any political conditions Ireland could not have escaped the widespread unemployment that followed upon the European war. Fifty thousand Irishmen from Ireland had lost their lives on the battlefields of Europe, but at least three or four times that number were seeking to be absorbed into other occupations when they were demobilised from the British forces. There were nothing like the same opportunities for absorbing them as existed in England or in France. Agriculture, whether it boomed or slumped, afforded very little scope for additional labour in a country of small properties, where the farmers and their families were usually hard put to it to find enough work for everyone on the land. And Irish agriculture, far from booming, began to feel the effects of falling prices as soon as the submarines had ceased their activities, and when there was no longer any

difficulty in providing ships to carry cargoes of foodstuffs across the seas. Fishing, which has always contributed to supplementing the meagre earnings of the peasantry along the western seaboard, felt the disastrous collapse of the war-time markets more quickly than any other industry; and the fishermen were left with heavy commitments to pay for the motor boats they had bought at absurdly inflated prices. The slump in fact made itself felt sooner in Ireland than in most countries; and it had already begun when the ex-service men from the British armies came back. They arrived in a changed country where their service under the British flag alienated sympathy from them at first, and where unemployment was already beginning to spread, apart from any question of provision for them.

For the first few years, however, the necessity for repairing the devastation caused by the civil war provided unexpected opportunities of work. Many men found temporary occupation in the Free State among the ranks of the National Army and in the newly-formed Civic Guard. But the constant efforts of the Government to retrench expenditure very soon led to drastic reductions in the number of men employed by the State. The new police force was considerably less numerous than the old Royal Irish Constabulary. The Army was reduced by rapid stages as soon as order began to be restored. The civil service was overhauled and reduced in many directions—especially in the personnel of the Post Office; and various local authorities, crippled with the destruction of the civil war and with the depression that was causing desperate anxiety among the farmers, began to dispense with all superfluous employees. The result was a constantly increasing army of unemployed; and all the Government's efforts to stimulate new industries by protective tariffs and to

create employment by public works were utterly inadequate to cope with the complexities of the situation, just as the similar problem in England has remained insoluble.

No subject has been more frequently discussed in the Dáil, where the Labour Party has again and again criticised the Government for not having done all that might have been done; while the Government, which certainly had more to gain in the matter of electoral support by spending recklessly on providing employment than by reducing expenditure with a view to balancing the Budget, has always replied by saying that it would gladly adopt any feasible scheme. Mr. Johnson, as leader of the Labour Party, repeatedly brought in motions designed to call attention to the prevalence and the urgency of unemployment; and in the critical debate which so nearly brought down the Government in August, 1927, his chief argument for overthrowing the Government was the accusation that it had neglected the unemployed. Kevin O'Higgins, in one of the last speeches he made in the Dáil, in support of the motion for Mr. Cosgrave's re-election as President of the Executive Council, replied to this criticism in a passage which may be quoted as a survey of the Government's case. The Government, he contended, 'had done as much as men could do in the three and a half years of comparative peace that they had enjoyed.' In four years they had built 14,000 houses, which had given considerable employment; while in Dublin City and suburbs more houses were built between 1922 and 1927 than in the thirty years between 1890 and 1921. The imposition of tariffs had given employment to 10,000 additional people. The Trades Loan Guarantee Act had given employment to 1,700 others. More employment had been given by the 10,000 acres of beet grown around the Carlow beet factory in the previous

year ; while that year the area under beet had increased to 15,000 acres. The harnessing of the Shannon had given employment, and so also had the draining of the Barrow and the arterial drainage throughout the country, and the intense activity on the roads. They had never claimed that they could work miracles, but they had neglected nothing that they could find means to do.

That was in June 1927, during the brief session of the fifth Dáil. In October, one of the first debates in the sixth Dáil was a full-dress discussion on the same subject, when the Government was confronted with a vote of censure moved by the Labour Party with the support of the Republicans. Mr. Morrissey, one of its leaders in succession to Mr. Johnson, added very little to what had been said many times before ; and vaguely appealed to the Government to help the unemployed during the winter by tackling 'in a national way,' and with the assistance of borrowed money, the familiar problems of housing, reafforestation and drainage. But the debate produced two illuminating replies in detail from Mr. Blythe, as Minister for Finance, and General Mulcahy, as Minister for Local Government ; while Mr. Hogan as Minister for Agriculture dealt with the programme that Mr. de Valera had outlined for a rapid revival of farming. Mr. Blythe stated the limitations which he has imposed on all such schemes by his own policy as Minister of Finance, in insisting that no borrowed money should be spent on uneconomic schemes—in a general belief that excessive taxation would indirectly cause as much additional unemployment as could be relieved in other directions.

In regard to housing, Mr. Blythe explained, ' If we tried to increase our efforts we pile up costs against ourselves. We could build a certain number of houses in the year ; and build them at existing costs. If we

try to build a larger number of houses the demand for workers is so much greater, the demand for materials and the alternative opportunities of contractors are so much more numerous, that costs tend to go up. The cost of housing is increased and the benefits of our housing work are lost to those who are in need of houses because it becomes impossible to let them at any rent that can be paid.

'In regard to afforestation, we have increased the afforestation scheme. We have now put into operation a scheme with a programme of five thousand acres a year for the next ten years. That is a considerable extension of the previous schemes, but that expenditure on afforestation gives relatively little employment. A great deal of money goes on the purchase of fencing material. It is very difficult indeed to give a great deal of employment, especially where funds are limited and where it is wanted to do the work on an economic basis.

'Again on the question of drainage, the outstanding drainage scheme has been entered upon. A substantial number of men are at work on that. Other drainage schemes of some importance have also been carried out, but the difficulty is to find economic drainage schemes. We have had engineers examining schemes put up by county councils for the last fifteen months, and no scheme that will pay for itself has appeared. The actual fact, so far as drainage is concerned, is that all the good schemes were done long ago, and there remain only schemes that will not pay for themselves or that will not benefit land to such an extent that will enable the cost of that work to be met.'

The Government, Mr. Blythe claimed, had tried in many ways to solve the problem. 'In the first instance we tried to do all we could to give employment, directly by the State or through the local authori-

ties. We have tried by means of tariffs, by means of trade loans and other assistance to manufactures, to have employment given by private individuals. We have tried to reduce taxation. We have substantially reduced it so that the overhead charges on trade and industry might be lessened. We have very substantially reduced taxation, and then we have come along, from time to time, with very substantial sums in relief of grants. A good deal of these relief grants have been well spent. They have given fairly good returns. We are prepared this winter, as in other winters, to make available a sum for relief works. As far as possible we will avoid road works, because there is almost £1,300,000 available for expenditure on the roads. That money can be drawn on as rapidly as the councils can use it. There are other works in the towns and cities which might be undertaken with the assistance of relief grants. A particular type of road might be undertaken with the assistance of relief grants. These are the bog roads.'

While Mr. Blythe thus dwelt upon the difficulties of making relief or constructional works pay their way on an economic basis, General Mulcahy as Minister for Local Government and Public Health produced startling evidence to show that the Government was already providing more money than the country's economic organisation was apparently able to absorb. Under the three Housing Acts of 1924, 1925, and 1926 an aggregate sum of £900,000 was made available for the construction of new housing. But whereas the amount required in 1925-26 grew from the £41,000 of the previous year to £233,000, and in the following year £250,000 was required, yet the total amount expended up to date was only £590,000 out of £900,000 that was available. He estimated that a further £250,000 would be spent this year; but that would still leave at least £125,000 unexpended. The ex-

planation was that, whether in regard to capital or the supply of organised labour, the organisation of the building trade was not capable of employing all the resources actually provided by the Government. In regard to roads similar conditions were seen to exist. There was at present not less than £1,500,000 available for work on the roads which the counties had so far been unable to use.

But while the Free State had suffered severely from prolonged unemployment, like many other countries since the war, its conditions are profoundly different from those in Great Britain, in the fact that an overwhelming majority of its people are actually living upon the land. The improvement of agricultural conditions must remain the key to every solution of the unemployment problem in a country which contains only one city of any really considerable size. Mr. de Valera, in his first important speech in the Dáil, failed to recognise this when he expounded his ideal of a self-supporting Ireland, leading its own rather primitive existence and prepared if necessary to face virtually complete isolation from the rest of the world. His programme is a direct challenge to the whole organisation of the Free State's economic system. Instead of being a country with a large import and export trade, which, by making the farmers prosperous, increases their purchasing power, he would aim at the deliberate suppression of imports by high protective tariffs in order to encourage the growth of native Irish industries which would produce all the requirements of the country. It is the old argument that drove John Mitchel and others to exasperation during the appalling three years' famine of the 'forties, and that stimulated the active mind of Thomas Carlyle to many reflections upon the topsy-turvydom of modern economics. Ireland to-day is in fact different only in degree from the unbalanced conditions of

the 'forties, though the farmers have gained security since that time and the small farms are not nearly so much overburdened with population. But in a country producing vast quantities of foodstuffs which command the highest prices in English and continental markets, a very large proportion of the people who produce these foodstuffs do in fact still live during bad years very near the verge of starvation. The main feature of Ireland's economic existence is that her farmers produce much of the best cattle and crops that supply the insatiable markets of English cities, while they receive in return cheap and inferior qualities of the same foodstuffs that they themselves send out of the country. And any sudden upheaval of conditions in the English markets is liable to depress the price of what they have to sell; so that they cannot afford to buy a sufficiency of the inferior qualities of food that they import. Mr. de Valera's argument certainly requires consideration; for it is a very plausible attempt to provide a remedy by encouraging the Irish producers to become entirely self-supporting, and to sacrifice the possible gains of good years for the export trade, in return for the permanent security of an economic system which would contain many industries as well as agriculture.

It was Mr. Hogan, with his practical knowledge of farming and his five years of experience as a most successful Minister for Agriculture, who dealt with this thesis which has played so large a part in all the propaganda of the Republican Party. Mr. Hogan is one of the most practised and skilful debaters in the Dáil; and his reply to Mr. de Valera throws a vast amount of light on the different mentality of those who have sat in the Dáil during these momentous years and those who are now approaching practical public affairs for the first time.

Mr. de Valera had enunciated a whole programme

of economic reconstruction, and Mr. Hogan met his proposals with a disconcerting question at the outset: 'He said that the island had to be reconstructed,' said Mr. Hogan; 'that is a tall order. He said we have to do this, do that, and do the other thing. Apparently everything is wrong. Agriculture is improperly organised; industry is improperly organised; the railways are wrong; the banks are wrong. The general policy of every organised body in the country is wrong, and we must alter this and alter that. Who are "we"? Are the people to have no say in the matter at all? Are the farmers to have no say as to how their industry is to be organised? Are the business men of the country to have no opportunity of saying how their business is to be organised? Who are "we" who must change the agricultural economy of the country, who must change the whole industrial organisation of the country, must change the transport system and the banking system? The Government apparently, or the Dáil, or this commission that is to be set up. They have got to do it. That is what takes place, and we are told that is a clear-cut policy.'

This prolonged debate, in which the Republican deputies made their first important speeches in the Dáil, showed how remote from the realities of actual economic conditions their ideas and policies still remain. Mr. de Valera's chief proposal was to set up a Commission of Enquiry into the whole economic condition of the country, apparently unaware of all the reports and investigations that have been made on almost every subject by the principal available experts during the past five years. All sorts of fantastic proposals were put forward; and nearly all of them were governed by this main idea that if the country were made self-supporting unemployment would disappear. Mr. McGilligan, as Minister for

Commerce and Industry, stated the Government's case in reply to innumerable criticisms, and the gist of his argument was to ask how the Republicans expected the farmers would enjoy the prospect of having to provide food—without any apparent suggestion of payment—for many thousands of unemployed men who were alleged to be on the verge of starvation. In detail, the Republican speakers seemed incapable of presenting any practical suggestion. Challenged as to how they expected houses to be built quickly as an immediate remedy for unemployment, they talked vaguely of working Irish quarries and beginning to make Irish bricks, and obtaining timber by afforestation schemes. The Shannon scheme was denounced on the ground that it was being directed by German engineers; and Mr. McGilligan, when he pointed out that the Free State did not possess enough trained engineers, was told that the scheme ought to be developed by stages so that Irish engineers could be trained while it was growing. In a debate which was intended to urge the Government to relieve unemployment immediately, the Republicans could make no suggestion that did not involve years of preparation, even if it were practicable.

On one point especially, Mr. McGilligan announced the policy of the Government with great clearness. Complaints had been made by the Republicans that foreign capital ought not to be employed, as it gave control of Irish industries to foreigners. Mr. McGilligan revealed how great difficulty there had been in obtaining Irish capital, and how easily foreign capital had been actually obtained. A capital of £400,000 had been required for the new sugar beet industry in Carlow, and certain foreign capitalists had been found who were willing to build a factory and operate it. They had expressed their willingness to

accept Irish capital if it was offered, but the whole result of their strenuous efforts to find Irish capital was a total of £10,000. If they had waited till they got in Ireland even half the capital they required to start the factory, said Mr. McGilligan, he was convinced there would be no beet factory in existence now. Similarly with Mr. Ford's large factory in Cork, and the tobacco factories started by the English tobacco combine. 'If all the shirt factories opened in Donegal by reason of the tariffs put on were to be cleared out because the majority of the shares were not held by Irishmen,' said Mr. McGilligan, 'there would be a considerable number of people in that constituency idle and starving.' And the same might be said of the new furniture factories and confectionery and sweet factories. Mr. McGilligan declared quite definitely his own belief that every effort must be made to bring in new capital from outside. So far as creating new Irish industries in the Free State was concerned, the Government claimed that at least a hundred new factories had been established as a direct result of the Government's activities; but the operation of the Trade Loans Act had been very disappointing. Out of a total of £900,000 made available by the Government for loans to finance new industries, only about £300,000 had so far been spent. Until that full amount had been exhausted, said Mr. McGilligan, the fewness of new industries could not be attributed to lack of capital. The Government had already provided much more credit for this purpose than had been used, and its provision of funds for housing and for road-works was still much in excess of what had actually been employed. It agreed to appoint a Committee of Enquiry, such as the Republicans and the Labour Party required; and it has made a further provision of £150,000 to be spent on relief schemes

during the coming year. But the Government have discovered from experience, what the Republicans have still to learn, that there is no panacea for unemployment in the Free State, any more than elsewhere.

CHAPTER XIX

AGRICULTURE

Mr. P. J. Hogan—Completion of Land Purchase—Peasant ownership everywhere—The Department of Agriculture's report on 1923-6—Two bad seasons in succession—1925 a better year—New legislation—Standardising exported eggs—Severe penalties enforced—Guaranteed butter—Enforced inspection of bulls and stallions—Success in keeping out Foot and Mouth Disease—The co-operative movement in agriculture—Government buys out the proprietary creameries—Creating a monopoly of producers—The new Agricultural Credit Corporation—Farmers' need for long term credits—Supplementing the work of the banks—Fostering the co-operative movement—Mortgages on chattels introduced—Mr. Hogan's plain speaking to the farmers about mortgages.

To anyone who has visualised the organisation, whether economic or social, of the Free State, it must be apparent that no Ministry in the Government of the country is of equal importance, in the ordinary life of the people, with the Ministry of Agriculture. That the Irish Government should have found a young Minister of the intellectual capacity and magnificent energy of Mr. P. J. Hogan is one of the most hopeful factors in the new regime, and one of the most significant proofs of what the new generation, trained in the National University of Ireland, can hope to accomplish. Mr. Hogan is the son of one of the senior officials of the old Land Commission. He has been familiar from his boyhood with the conditions of agricultural Ireland through his own upbringing and early experience as a country solicitor in County

Galway, and he inherited an acquaintance with the fundamental problems of Irish farming and Irish land tenure which he has himself done more to solve than any other man in the past fifty years.

One of the first acts of the new Government under the Free State was to complete, by a new Act, the process of Land Purchase which Mr. George Wyndham initiated by offering almost incredibly favourable terms to the Irish landlords to induce them to sell their estates to the tenant farmers. Mr. Wyndham's Act of 1903 produced such a general response from the Irish landlords—especially as the time limit before which they must sell approached—that the next British Government decided to offer less favourable terms, and Irish land purchase for a time slackened off, with a real relief to the British Treasury. But by the time the Free State was established, the vast majority of tenant farmers had already bought their farms under the various Land Acts, and the new Government had only to pass a new measure to hasten the purchase of the relatively few estates which remained unsold. The Land Purchase Act of 1924 was hurried through the Dáil, and a new Land Stock, bearing $4\frac{1}{2}$ per cent. interest, was created to complete the work of the Wyndham Act of 1903 ; the tenants buying their land by the payment of terminable annuities of $4\frac{3}{4}$ per cent., which provided $\frac{1}{4}$ per cent. for redemption of the bonds.

Henceforward it may be said that the farmers of the Free State are almost entirely peasant owners, the great majority of whom live, and bring up their large families, upon farms which seldom include so much as 50 acres and which are often less than 15 acres in extent—particularly in the western counties, where the population is thickest and the land is least fertile. It would be impossible to exaggerate the amelioration that this new state of ownership has

brought to the penury and insecurity of a generation ago. The Free State owes more gratitude than is ever likely to be felt towards the pioneers of the land agitation—Mr. Davitt, Mr. Dillon, Mr. O'Brien, Mr. Healy and the few veterans who still survive from times when the Irish peasants as a class were rack-rented, liable to eviction from year to year, unable to improve their farms without incurring an immediate increase of rent, and in general demoralised and discouraged and degraded to an extent which the new generation can scarcely imagine. It is not much more than a century since Arthur Young, in contemplating the changes worked by a similar revolution in land tenure in France, spoke of the introduction of peasant ownership as having 'changed sands to gold.' But while the rugged hillsides of Kerry and Galway and the whole western seaboard cannot be expected to reward the industry of the small farmer in the Free State with the golden crops that delighted Arthur Young along the sand-dunes of northern France, yet the change that has come over Ireland in the past generation is amazing. Working from early morning until after dark through the long summer days, the small farmers and their families have already done wonders in improving the land which formerly they dared not cultivate in earnest, for fear that a rent would be demanded which in bad seasons they could not pay. And thirty years of slow but definite encouragement by the Department of Agriculture and the old Congested Districts Board had, even with small financial resources, produced a very considerable effect. New houses, roofed with slate instead of thatch, solidly built and standing in farms which had been reorganised and taken in hand, give to the Irish countryside a totally different aspect to what was generally to be seen thirty years ago.

The foundations of a new order had been laid, as

the result of a protracted land agitation, when the Free State came into existence. But though the small farmers who form the great majority of the population had at last obtained conditions which encouraged them to do their utmost, and though they had begun to learn the first notions of modern scientific methods in agriculture and of co-operative organisation in buying and in selling, and even in the use of credit, there were no reserves upon which they could draw in bad years, and they had to bear the results of world-wide trade depression, intensified first by civil war and anarchy and then by a succession of bad harvests.

Not until 1927 was the reorganised Department of Agriculture able to publish the report of its activities during the years of transition. The report, covering the first three years from 1923 to the spring of 1926, shows what fluctuations and chances have impeded the development of agriculture, and how impossible it is to base any reliable judgement upon the conditions revealed in the statistical returns from year to year. A rapid decrease in the number of cattle or pigs, for instance, is usually due to special conditions which may be either favourable or unfavourable. Foot and mouth disease in England may create a wholly abnormal demand for cattle which depletes the number of beasts in Ireland but brings profit to the farmers. The number of pigs may be depleted for similar reasons, or may be increased by a year of bad potato crops, which compels the farmers to use their potatoes as animal food instead of selling them. And the acreage under tillage is subject to scarcely less sudden fluctuations, depending upon the seasons in a very variable climate. Broadly speaking, the years 1923 and 1924 were very unfavourable for the farmers, while 1925 was a comparatively good year, and improvement has continued since the recovery that began in that year. But in both 1923 and 1924 there was great difficulty in

saving the hay crop, and the yield from corn crops was very disappointing. Root crops were bad also, partly because they could not be sown until late, owing to the sodden state of the ground, and owing to the lack of warmth during the summer. In 1924, the persistent rains practically washed away the turf which had been cut in several large districts, and this caused great hardship until favourable conditions returned in 1925. Even pastures suffered from the bad seasons of 1923 and 1924, and the cattle and sheep were thin and backward in condition when they had to be sold. In the autumn of 1924, many sheep, and some cattle also, were affected by a disease owing to the persistent bad weather, especially in the low-lying districts; but the Department of Agriculture was able to prevent the losses from becoming more widespread by providing the necessary medicinal remedy and giving instruction in its use, which was generally adopted.

One result of these prolonged adverse conditions was to increase enormously the export of cattle to the English market. Fodder was short because the hay and root crops were far below the average, and the fear of cattle disease which broke out in the autumn induced many farmers to sell. More than a million cattle were exported in 1924, a figure higher than had been reached for twenty years except for 1913, when the foot and mouth disease outbreak in Great Britain created an abnormal demand for Irish stock. The number of pigs was also seriously reduced in 1924, because prices in the previous year had been very discouraging, and the sows were fattened and sold for slaughter or export instead of being kept for breeding. The 'pig population' which had been 1,350,000 in 1923 fell to 1,125,000 in 1924 and had fallen to 850,000 by June 1925. But the number of pigs has increased rapidly again since, owing to more favourable markets; and the number has always

fluctuated so widely from year to year that no reliable conclusions can be drawn from it, except that an increase is usually a healthy sign and reacts favourably upon the important bacon factories in Limerick and other towns.

More recent figures have shown a steady and very definite recovery in almost all branches of agriculture since 1925, when a fine summer enabled the farmers to cut and save their hay in excellent condition, and provided them with fodder of much better quality though the yields were below the average. Pastures were also very satisfactory for all kinds of grazing stock, and the corn crops were exceptionally good both in yield and in quality. The potato crop also was exceptionally good, and mangels and turnips also did very well. But though the corn crops had been very good, market prices were disappointing and a great quantity of the grain was consequently used for feeding purposes—with the result that imported feeding stuffs were bought in much smaller quantities. Prices for cattle and sheep were at a high level, and as the potato crop had produced an abundant yield, the farmers began to breed pigs again in huge numbers. The Department of Agriculture's report, in covering the record of three years, presents a vivid picture of the fluctuations in farming conditions and shows how impossible it is to argue from the import and export trade returns as to whether conditions are prosperous or not. An abnormally high export of cattle, for instance, may mean that prices are exceptionally high or may be simply due to difficulties in feeding the animals or to the fear of cattle disease. And a smaller export of corn crops, as in 1924, may mean no more than that the farmers have found it more economical to use their own grain for feeding animals—whether because the market for corn is weak, or because the price of imported feeding stuffs is abnormally high.

By its ordinary work in providing information about prices and markets, and by its educational activities in teaching new methods of farming or of counteracting diseases of animals and crops, the Department of Agriculture has rendered very great service to the Irish farmers in the past twenty years. But the new Government has carried the work of the former Department of Agriculture very much further, by introducing new legislation with the object of standardising Irish produce and securing better marketing conditions. Three Acts passed by the Dáil demand special notice, besides the promotion of agricultural co-operation and the provision of agricultural credit, which must be mentioned later. The Land Purchase Act of 1924 completed the establishment of peasant ownership so far that the Commission which was appointed by the Government to enquire into the State of Agriculture, reported at once that no further attention was necessary to questions of land tenure. The main problems were to improve production and marketing and to provide the farmers with credit for the development of their farms. Two Acts of far-reaching importance were passed in 1924, to introduce a standardised quality of the exports of Irish eggs and dairy produce.

The Egg Act came into operation in August 1925 and had an almost immediate effect in improving the demand for Irish eggs in the English market. 'Not only was the demand much keener than before,' says the Department's Report, 'but the price of Irish eggs, as compared with those exported from other countries, showed an immediate advance, and from a position of inferiority, Irish eggs at once took the premier place in the markets.' The Act requires that all eggs intended for export in commercial quantities shall be tested, graded and packed, in the manner prescribed by the Government, on premises which have to be

registered and subject to constant inspection under the Act. Registration is refused unless the premises are structurally suitable and provided with prescribed appliances and equipment for testing, grading and packing, and with adequate accommodation for storage of packages, etc., and the premises must further be kept in a proper state of cleanliness and good repair. Further, all packages which contain eggs for export—and, if so required, the eggs themselves—must under the new legislation be marked for identification purposes in the manner prescribed. The packages must also be marked to indicate the grade of the eggs they contain, or to indicate that the eggs are preserved.

It may be safely said that no British administration in Ireland—even if it were interested in improving the market for Irish produce abroad—could conceivably have enforced so drastic a measure as Mr. Hogan, with great courage and determined energy, has brought into operation and enforced with rigorous discipline. As soon as the Act was passed, all egg merchants were notified of its provisions, and the Department of Agriculture arranged for courses of instruction all over the country in testing, grading and packing of eggs in accordance with the Act's requirements. The Act provides that any egg exporter may be struck off the register if he is convicted of a breach of the regulations, or even (which was a still more unpopular provision) if he fails without reasonable cause to fulfil a contract which he has made for the supply of eggs. Not even the dirty condition and bad packing of Irish eggs in the past had done so much to discredit the Irish trade as the constant habit of failing to deliver supplies when a more tempting offer was made subsequently from some other quarter. The Government has been ruthless in enforcing all these provisions, and it has been scarcely less rigorous in connection with

the home market. The sale of eggs which are even externally dirty or are unfit for human consumption has been made an offence punishable in the case of a first offence by a fine not exceeding £10, and in the case of a second or subsequent offence by a fine up to £20, or even, at the discretion of the Court, by imprisonment up to six months or by fine and imprisonment. No less than twenty-three prosecutions for this offence were in fact instituted within the first eight months after the Act became operative, and fines were imposed in every case but one.[1]

In no direction has the new Government shown greater firmness and determination in the work of reform, than in the effort to improve the standard of Irish agricultural produce. The new conditions would have seemed unimaginable ten years ago, and they are already creating a new atmosphere throughout the whole life of the country. The Dairy Produce Act of 1924 could not be brought into operation so quickly; but several of its sections have already been enforced. Exporters of butter in commercial quantities are now subject to the same system of Government registration and inspection as are the exporters of eggs. No one may export butter in commercial quantities without being a registered exporter; and all premises have to comply with the new regulations concerning cleanliness and order, and structure and equipment. The regulations go further in requiring that the staff must have the necessary qualifications; and the manufacture and packing of butter must now conform to the Department of Agriculture's rules. Packages and packing materials must be standardised,

[1] Mr. T. M. Healy, in a speech after he had relinquished his office as Governor-General, paid a special tribute to Mr. Hogan as an instance of the courage shown by young Ministers. No one who had not the courage of youth, said Mr. Healy, would have dared to institute prosecutions of "people who tried to sell soiled eggs or kept scrub bulls."

and each package must show the class of butter it contains and the premises where it has been made. No butter containing over 16 per cent. of water can be exported, and any butter of unsuitable quality may be prohibited from export. Cleanliness in the supply of milk to the creameries is also enforced, and also in the manufacture of the butter itself; while misleading or false descriptions of butter incur heavy penalties. As in the case of the egg exporters, the Government has appointed a Consultative Committee of well-known farmers or creamery representatives to assist the Government, and the better prices already obtained by this strict Government enforcement of standardised quality and packing have gone far to assist the farmers in their financial difficulties, and have fully justified the ruthlessness with which the legislation is enforced. By June 1925 the regulations concerning cleanliness and conditions of manufacture were brought into force; and the registration of creameries and butter factories was enforced in October. The conditions governing the export of butter from the Free State were enforced in 1927, and only the final provision, which will establish a National Trade Mark for all Irish butter exported, still remains to be introduced. Systematic inspection has already produced a notable improvement in the standard of butter, and the heavy penalties which are imposed for breaches of the Act—including the cancellation of registered exporters for specified offences—has had the desired effect.

In 1925 the third Act introduced by Mr. Hogan for the improvement of Irish agriculture was passed, to prevent the use of unsuitable sires for breeding cattle. Under the Act no one is allowed even to keep in the Free State a bull to which the Act applies without obtaining a licence authorised by the Department of Agriculture. Provision has been made for the inspection of bulls, and an appeal can be made against an

unfavourable report, while the final decision rests with the Minister for Agriculture himself. Not content with these delicate responsibilities, Mr. Hogan has taken power to make regulations declaring any particular breeds or types of bull unsuitable for specified areas, with the object of developing the Kerry breed of cattle in the mountainous regions of Cork and Kerry, and to maintain the purity of the breed by keeping other bulls out. These provisions may also be applied to boars and rams if need arise. The first inspection of bulls under the Act took place in August and September 1925, and of 18,000 bulls inspected more than 4,000 were rejected. It was decided to have inspections twice a year, and at the following inspection less than 10,000 were licensed and nearly 4,000 were rejected. Eight prosecutions were instituted with the first six months, and in every case fines were imposed.

Similar regulations had already been introduced to prevent deterioration in the breed of Irish horses, under the Horse Breeding Act of 1918; but the Department's report claims that the Act 'was administered more strictly in 1924 and 1925 than in previous years.' The strictness of enforcement in fact increased, for whereas only 55 licences were refused out of 770 applications in 1924, they were refused in 100 cases out of 850 in 1925. The report shows the co-operation between different parts of the administration, when it thanks the Civic Guard for their activity in insisting upon registration of stallions. And needless to say, the Department has enforced with unflinching severity the various Acts for the prevention of diseases of animals and crops.

To this uncompromising severity is probably due the fact that during all the recent outbreaks of foot and mouth disease among cattle in Great Britain, the Free State has been kept entirely free from the

disease.[1] In reply to a question in the Dáil in June 1926, Mr. Hogan explained that no packages containing straw or litter—which has been generally regarded as the cause of outbreaks in Great Britain—are allowed to enter the country. Asked if his Department would take precautions, Mr. Hogan replied, 'We go even further, because we do not allow the person importing goods into this country the option of having the straw burned and of having the goods repacked. What we do is, we simply send back the goods.'

This drastic new system of regulations designed to protect the market for Irish foodstuffs and to improve the quality of Irish animals and produce is, of course, only one side of the work to which Mr. Hogan and his assistants have devoted so much energy and constant attention. In the twenty years or so before the Great War the condition of the Irish farmers had been substantially improved by the introduction of co-operative creameries and co-operative societies for the purchase of agricultural requirements. The movement was of very slow growth, but it had reached really considerable dimensions before the war; and even the deliberate policy of wrecking the co-operative creameries which was carried out by Sir Hamar Greenwood's Black and Tans did not succeed in destroying the movement.

But while the efforts of Sir Horace Plunkett and the other devoted pioneers of co-operation have thus succeeded in building up a national movement which has taken root, the co-operative societies are far

[1] An isolated outbreak has occurred in County Wexford in February 1928; but the immediate and drastic steps taken by the Government to prevent the movement of animals or any possible cause of its infection spreading, have been so far successful. The friendly attitude of the British Department of Agriculture in reducing to a minimum the necessary restrictions upon import of cattle from Ireland after the outbreak occurred has been greatly appreciated in the Free State.

from being on a firm footing throughout the country. Mr. Hogan, who has done more than anyone in recent years to encourage and strengthen the movement, in his official capacity as Minister for Agriculture, declared quite frankly, when he asked the Dáil to support the biggest decision the Government has yet taken to assist them, that 'the organisation of the Irish co-operative societies is to a large extent unsound.' The co-operative creameries have, as he pointed out, been almost always established by a small and enthusiastic minority of the most go-ahead and enterprising farmers in the district. They were co-operative in the sense that the advantages were divided between all, but in practice the risks were increased for the few. There was no co-ordination between the co-operative societies, which in fact competed with one another even in the same county, both in purchasing their milk supplies and in the sale of their butter. Still more intense competition for milk supplies existed between the proprietary and the co-operative creameries. In every agricultural country in Europe and America, farmers' organisations had been provided with suitable credits, and from a very early stage their developments were guided by co-operative legislation. But in Ireland they had been left without either. The existence of 400 co-operative societies out of a total of 580 in the country, said Mr. Hogan, was an extraordinary testimonial to the pioneer work of the Irish Agricultural Organisation Society, and to the capacity and loyalty of the Irish farmers. In no other country had the farmers' organisations to grapple unaided with the same difficulties.

To assist the co-operative societies, the Government had decided, before the end of the fourth Dáil in April 1927, to introduce a Co-operative Act and also to establish an Agricultural Credit Corporation. Political disturbances have delayed both measures

for a time ; but Mr. Hogan has succeeded in obtaining sanction from the Dáil for an extremely bold stroke of policy which he decided on his own responsibility. After some thirty years of steady organisation and encouragement by Sir Horace Plunkett's Irish Agricultural Organisation Society, the co-operative creameries have become generally established everywhere, and are now much more numerous than the old proprietary creameries. But in one area particularly—the fertile country around Tipperary, Limerick and North Cork which is popularly known as the 'Golden Vale,' one strong combination of proprietary creameries still remained. Before the war Messrs. Cleeves owned a great number of creameries and other factories which drew their supplies from this rich agricultural district, but the firm went into liquidation some years ago. The co-operative creameries quickly developed their trade when their principal competitor went out of business ; but the old difficulties revived when in 1923 the Condensed Milk Company in London took over Messrs. Cleeves' business and, with their very great financial resources, entered into keen competition for milk supplies with the farmers, who were at that time feeling the depression of trade very acutely, and were therefore more ready to accept the inducements of high prices which the English Company offered in order to secure its regular supplies. Out of 180 proprietary creameries left in the Free State, 114 were owned by the Company in this specially important district, which has long been one of the chief sources of the export trade. The Company installed £80,000 worth of new machinery and motor lorries, and within a few years had spent £100,000 on building up a business which had been incurring heavy losses. The competition with the co-operative creameries grew in intensity, and at the end of three years both parties had exhausted all their

reserves in the prolonged struggle. By the end of 1926 a climax had been reached. The English Company had to face a further large outlay of capital expenditure; and the co-operative societies, with all their resources in cash and in ordinary credit exhausted, appealed to the Government for assistance in maintaining their position.

Mr. Hogan had to consider three possible courses—either to refuse to interfere, or to provide the co-operative creameries with working capital, or else to accept an offer which had been made by the English Company to sell out its interests. To finance the creameries was obviously impossible for the Government, but its whole policy of agricultural development was menaced by the dangerous position in which this competition had landed the most important group of co-operative creameries in the country. Mr. Hogan decided boldly to come to their rescue, in spite of all the obvious objections to such a course, and in November he explained to the Dáil the result of his negotiations with the Condensed Milk Company. In previous conflicts of the kind the co-operative societies had as a rule come out of it best, but the competition had never been on such a big scale before. Although the co-operatives might quite possibly win in the second round of the fight, after a certain number had been driven to close down; waste and heavy losses, and particularly to the shareholders and guarantors, would be inevitable. The Government had therefore decided to buy out the Company themselves, with the object of transferring the interests afterwards. About £400,000 had been put into the business in one way or another, and the price agreed upon was £365,000.

The shares would be purchased by a holding body to be nominated by the Department of Lands and Agriculture, and the trade credits and liabilities would be taken over by the purchaser. The price had been

arrived at without reference to the moneys put into the business by the owners, and was intended to represent a fair value of the property as a going concern. It was considered essential that the transfer to the co-operative societies should commence immediately, so that the necessary adjustment of the creameries be made before the next milk season. Obviously a considerable number of the creameries would now become redundant. As roughly half of the number would be redundant, it would not be possible to recover the full price of all the creameries from the co-operative societies. They would be dismantled and the buildings and machinery disposed of on the best terms possible, and the Minister of Finance would make a grant in such cases towards the difference in price.

Mr. Hogan declared his own belief that the Company had got fair compensation and the co-operative societies had got real good value. From the point of view of the industry as a whole, and the indirect benefits, the value was inestimable. He hoped that nobody would make the mistake of regarding this as the beginnings of a policy under which the Government would propose to run the creameries of the country. The exact contrary was the fact. The purchase of these creameries had no justification other than that it was a necessary preliminary to the efficient working of the Agricultural Credit Corporation and the Co-operative Act. He conceived it to be the duty of the Government to pay off arrears, even though it was not responsible for them, in order to put the dairying industry on a solid foundation ; and, having done that, to make it quite clear that the future was in the farmers' own making. Mr. Hogan admitted fully that the policy aimed at a most unusual monopoly of all the producers. But it would benefit not only the countryside but every town in the Free State. It was

not an attempt to shelter the farmers from competition, but to enable them to meet the organised competition of Denmark, New Zealand, Australia and Canada. It would lead to the formation of a solid and formidable organisation, until the farmers controlled every phase of agricultural production and thereby obtained what they were not obtaining now—a fair proportion of the profits of their labour.

One other large measure for the assistance of the Irish farmers—perhaps the most important of them all in its possibilities—remains to be mentioned. For many years it had been recognised that the chief difficulty of the Irish farmers, and above all on the small farms which are most characteristic of the whole west, in trying to develop the land in which they have at last obtained a completely secure possessorship, has been to obtain capital with which to do something more than the minimum of cultivation they had always attempted to do. The co-operative movement had, against fierce opposition by the small shopkeepers in many places (for the shopkeepers usually had advanced the necessaries of life on credit at exorbitant rates of interest in the bad years), succeeded in founding local credit societies in various districts, on the system familiar in many countries where agricultural co-operation is more firmly rooted. The usual system was for a number of local farmers to combine in guaranteeing small loans for the benefit of intelligent and hardworking farmers who could be trusted to repay the loan quickly after it had been spent on buying a plough or a few more cattle. In 1913 the Viceregal Commission on Agricultural Credit in Ireland presented a report which has attracted very wide notice in other countries, and is regarded as one of the most remarkable reports of its kind ever published. The Commission had received evidence of an overwhelmingly convincing character from many

parts of the country, where the provision of credit to industrious small farmers had—as one distinguished local witness put it—produced 'a fairy tale of progress.' It was quite evident that the ownership of these small farms had begun to work miracles in giving the small farmers a new spirit of hope and an incentive to work; but without capital of any kind they could not do more than make the smallest improvements year after year. Some large scheme of providing agricultural credits was urgently needed, but it was not until the Free State had been securely established that the problem could be undertaken on a suitable scale.

In March 1927, Mr. Hogan introduced into the Dáil his Bill for the creation of an Agricultural Credit Corporation with a capital of £500,000, whose capital and dividends would be guaranteed by the State. He explained the impossibility of expecting the banks to provide long term loans, spread over a number of years, which the farmers must obtain in order to finance the proper development of their farms. The banks would, however, be invited to subscribe £200,000 of the capital required for the new Credit Corporation; and the remainder of the capital, with a dividend of 5 per cent. guaranteed by the State, would be subscribed by the public, or if necessary by the Ministry of Finance. The Corporation was to be a limited liability company, and the ten directors would be appointed by the shareholders. The banks would appoint directors corresponding to £200,000, the other shareholders would appoint a certain number, and the Minister of Finance would make four appointments.

'The functions of the Corporation,' Mr. Hogan explained, 'will be to give long term and intermediate term credits to agriculture. It is not intended, and the organisation is such that it would not be possible

for it, to give short term credits. There is an immediate distinction there between the function of this Corporation and the function of the ordinary joint stock banks. This division will lie along the lines of the joint stock banks performing their usual functions, . . . namely, the giving of short term credits. It will be the duty of this Corporation to give the sort of credits that the joint stock banks have in the past, at times, attempted to give, and which they never found suitable for them, that is, long term and intermediate term credits. It is not intended that the banks should not even yet enter the field of long term credits if they wish to do so. That would be all the better for the Irish farmers. . . . There is no limitation to their functions so far as this Bill is concerned, but so far as the Agricultural Credit Corporation is concerned, its organisation is such that it will only effectively function in regard to long term and intermediate term credits.'

The distinction between long term and intermediate credits was obviously impossible to define, but the necessities of the case were clear. The ordinary loans made to farmers at present by the banks were on a three months' or six months' bill. But the credit needed for agriculture depended upon special requirements from time to time. Credit was needed to erect creameries, or for drainage, or to enable farmers to hold cattle or crops for nine months or a year or thereabouts. Those credits, and especially for long terms, the Corporation would be expected to supply to farmers. The purposes were quite simple; to enable a man to become a farmer, to buy land for that purpose, and after that to enable him to perform any agricultural operation. Mr. Hogan, after explaining the intended restrictions upon its operations, said the Corporation would lend to the farmers' organisation for farming purposes, either productive or marketing.

It would not lend to a farmers' organisation which dealt in items included in the cost of living budget. It would lend to farmers for the raw materials of their production, but not for articles that enter into his cost of living as opposed to his cost of production. That a distinction should be drawn between the articles required by a farmer to produce and those required to live was, Mr. Hogan contended, entirely sound both from the shopkeepers' and from the farmers' point of view. At present the co-operative societies which were doing best were those engaged in agricultural production and distribution and in the necessities of agriculture, while the ordinary retail stores had always done worst.

'Our agricultural policy,' declared Mr. Hogan, 'on the one hand is to cheapen, as much as possible, the cost of the farmer's raw material, and to give it to him at wholesale prices, and on the other hand to improve his organisation and to enable him to turn out a better article—to increase his return as between the price of his raw material and the price of the finished article. That is the only possible form of protection that you can give to the farmer in this country. The butter-making industry is an example of that. The creamery enables the farmer to cut down his overhead expenses by producing in bulk by machinery. The labour costs on the whole are smaller than they would be, spread over a number of small farmers. Therefore, through the function of the co-operative creamery you are on the one hand lowering the cost of production, and on the other increasing the value of the article which it turns out. You also enable him, by means of the co-operative creamery, to produce a better article than he could do if operating as an individual.'

The finances of the scheme—which are one of the purposes for which the recent National Loan of £7,000,000 was floated—are quite simple. Half of

the share capital is to be paid up as the nucleus of the Corporation's fund. Land loans made by the bank, and the certificates issued, must have the approval of the Minister of Finance. These certificates would have a maturity of from perhaps 5 to 40 years. Only in very rare cases would they go as far as 40 years. A long term loan would be for ten years. The certificate would cover 15 and the intermediate loan would cover 2 to 3 years. Mr. Hogan pointed out that it might well be that land would be offered in sufficient quantity to enable the bank to be fully financed by certificates issued against mortgages on land; but he doubted this, and thought the Corporation should have discretion to issue certificates, with the consent of the Minister of Finance, on any other mortgages or securities they might hold. Certificates would be guaranteed by the Minister of Finance, both as regards interest and sinking fund, and they must be submitted for approval by the Minister of Finance before being issued. They would have as their security the general assets of the Corporation, and also the specific assets lodged with the trustees. He did not think there would be much difficulty in finding money for the Corporation. The only difficulty he foresaw was if the certificates could only be issued against mortgages on land, which was not always found to be the very best security. The general assets of a co-operative creamery would give a sounder security than any mortgage on land.

An important innovation in the scheme was the introduction of a general mortgage on chattels, which might be a floating or a specific mortgage. All the commissions which had considered the subject had been unanimous that a chattel mortgage would be extremely useful to the farmer, though such mortgages were obviously very hard to protect. 'The idea is,' Mr. Hogan explained, 'that when a farmer

gets a mortgage on live stock he should only sell his stock with the consent of the mortgagee, or alternatively that, after selling the live stock, he shall in accordance with the terms of the mortgage liquidate the debt and pay the money to the bank. That of course is essential, and must be provided for. It is also provided that the purchaser of goods such as live stock, which are subject to a chattel mortgage in the open market, shall give a good title. In other words, the goods or chattels, such as live stock taken to a fair, which may be subject to a chattel mortgage, may be sold freely. That is a good title and any purchaser may buy them. That is also necessary. That simple section gets over any difficulty there may be by reason of doubt or hesitancy on the part of a possible purchaser of live stock. Because of the difficulty of selling land, and the trouble involved in mortgages on land for the small farmer who wanted a loan for a year or so, the chattel mortgage would be particularly suitable. It would also obviate the shocking necessity he had been under in the past of bringing in his neighbours to sign a bill and repeating the process every three months. The transaction would now be secret, and he need not renew the bills every three months.'

Having outlined his proposals, Mr. Hogan, with his customary courage and habit of plain speech, addressed himself directly to the farmers themselves. Farmers, he said, were everywhere short of credit and the banks were unwilling to lend. Not the least reason was that the farmers, when they obtained a mortgage from the banks, were unwilling to let the mortgagee sell them out if they were unable to meet their liabilities. The problem has its roots in the history of the land agitation, with its organised protection of tenant farmers from eviction for any reason. Mr. Hogan made it perfectly clear that this attitude towards liabilities

incurred on mortgages upon land would not be tolerated any longer, and that any loan made by the new Credit Corporation on such mortgages would have to be treated as fully secured. If the farmer raised money on a mortgage and could not repay his liabilities, he must henceforward be prepared to take the risk honestly. 'If the ordinary decent farmer cannot get credit at present,' said Mr. Hogan, 'it is largely because he winks at other farmers trying to cod the banks and other mortgagees. Agriculture will never be able to get reasonable cheap credits in this country until the whole point of view in regard to the selling out of land, held as security, changes, and until it is looked on as a crime, as a dishonest act, to attempt by force to prevent a mortgagee from selling a farm on which he has a mortgage. It has got to be looked upon as robbery, just as we look on stealing money from the banks, post offices, or individuals. Farmers must realise that it is dishonest, that there is nothing patriotic about it.'

CHAPTER XX

THE FISHERIES

Amalgamation of various authorities—The 'Congested Districts'—Long neglect of Irish fisheries—Sudden prosperity during the Great War collapses at once—Arrears of debt incurred for motors and equipment—Anarchy and the inland fisheries—Great possibilities of development—Lack of organisation and heavy indebtedness—Depression of fisheries shared in Great Britain—Rapid recovery of salmon fisheries—Success in increasing the supply of freshwater fish.

If failure to provide any early remedy for conditions of almost hopeless depression must be counted against the record of the Irish Government, it is in the Ministry of Fisheries that such failure must be recorded. The Department of Fisheries has in recent years been primarily concerned with the old problems of the 'Congested Districts,'[1] where bad harvests and the collapse of the fishing industry after the war have produced conditions of very acute distress. In his latest Ministry, Mr. Cosgrave has reorganised the work of his various Ministers; and under legislation which is being introduced for the purpose, the Department of Fisheries will be made responsible for the work of the old Land Commission, in addition to the supervision of fisheries and rural industries and other problems of special concern to the barren and mountainous counties of the West. In general it must be admitted that the organisation of rural industries has made very little progress, and must probably await the development of the Shannon scheme;

[1] The term applied to nearly the whole of western Ireland, where the population cannot obtain a reasonable living from the usual small and infertile farms.

while the Department's work in connection with fisheries has been chiefly concerned with the recovery of an industry that has always been tragically neglected, and that suffered a complete collapse after the European war, during which the fishermen had become committed to the payment of large sums for motor boats which they had bought recklessly on the instalment system when prices were at their highest.

Division of control, between the old Department of Agriculture and Technical Institution and the Congested Districts Board, in regard to the sea and inland fisheries, was brought to an end by the establishment of a special Department of Fisheries in January 1923, with Mr. Finian Lynch as the first Minister for Fisheries. To the long neglect of fisheries development, and the depredations caused by fishing fleets from various other countries, had been added the disastrous consequences of several years of anarchy before and during the establishment of the Free State.

Not until 1869 had any definite appointment of inspectors of fisheries been made to enforce and administer the fishing laws that then were in existence. Their administration had previously been entrusted to the Commissioners of Public Works, who also had certain funds from which loans were advanced for the building of piers and harbours; but apart from such construction, no public money had been provided for the development of Irish fisheries, from the discontinuance of the herring bounty in 1829 until 1891. Lord Balfour, in setting up the Congested Districts Board in 1891, introduced a definite departure from the Victorian tradition of English politics, which held that the Government should not interfere to develop industries by direct assistance. The Board, in addition to receiving some £84,000 from the Commissioners of Public Works in respect of the fishing loan funds that applied to the western seaboard, was also

able to allot part of its annual income of £44,000 for the development of fishing as one of the few industries that could be encouraged in the barren counties of the west. A further development in the same direction occurred when the Department of Agriculture was created in 1899, with a definite instruction to devote £10,000 a year out of its income to promoting sea fisheries, and the remaining £20,000 from the Fishery Loan Funds was vested in the Department for the same purpose; while varying sums also became available, to supplement the Department of Agriculture's statutory £10,000 a year out of the surplus of agricultural grants. Administration of the fishery laws for the whole country was also transferred to the new Department, and the Irish Fisheries Office was amalgamated with it.

From such very limited resources no very substantial results could be expected, or materialised in fact; though the late Mr. W. S. Green as Chief Inspector of Fisheries brought magnificent enthusiasm and energy to his task, and made all possible use of the resources at his disposal, and inspired confidence and enterprise by his own vivid and attractive personality. But the European War brought a sudden and unique opportunity to the Irish fisheries, when the Scotch and the English steam trawlers were all withdrawn from their usual activities. From 1916 to 1919 the Irish fisheries became the principal suppliers of fish in the English markets. 'Many of the owners of large motor drifters,' says the last report of the Department of Fisheries, 'at the outbreak of war were able to take full advantage of the market when fish was almost at famine prices; and those who were without boats got loans to purchase them at prices correspondingly high and far beyond their value in normal conditions.' But as soon as the Scotch and English fleets were demobilised from naval duties and resumed fishing

in 1920, the Irish boats very soon felt the stress of competition. 'The prices of our fresh fish in the English markets fell to the pre-war level, as the foreign high-powered vessels came in with huge catches of prime fish from deep sea grounds which had lain fallow for five years. The post-war economic disturbances in Central Europe and Russia put the herring fishery practically out of action. In 1922-23 the Scottish herring drifter owners went heavily into debt. The high cost of coal and the poor markets in England due to industrial depression in that country caused more than one-half of the steam trawling fleet of England to be laid up in 1924.

'Conditions in Ireland were naturally still worse, for in addition to bad markets, political disturbances, disorganised traffic and a scarcity of fish during 1921 and 1922, wiped out the savings of the fishermen accumulated during the prosperous years of 1915-1919, and left them with worn-out nets and boats badly in need of overhaul. While the market price for fish had fallen to a figure even lower than 1914 levels, the cost of cotton, nets, ropes and the other requisites of the fisherman's calling remained at a figure over 100 per cent. above the 1914 costs.' Many of the boats had been purchased at extravagant prices, and the heavy instalments on the loans falling due for payment could not be met. In April, 1923, out of a total sum of £151,887 outstanding on loans which had been advanced by the Department of Agriculture and by the Congested Districts Board, the amount in arrear was £49,376, or nearly one-third of the total outstanding. The result of these accumulated adverse circumstances upon the morale of the bulk of the fishermen—especially those in the Congested Districts who had small holdings—was to produce a feeling of discouragement which caused them to neglect their boats. Valuable motor engines became useless through

rust and neglect, and in many cases the deterioration of the boats and engines through this neglect put the boats beyond repair.'

'The task of resuscitating and vitalising our sea fisheries,' declares the report, 'was therefore a heavy one.' The problem of the freshwater fisheries was very little different. They had not received any impetus from the European war; and the anarchy which developed in Ireland from the later stages of the European war onwards, played havoc with the safeguarding of stock. 'The various local Fishery Boards,' says the report, 'were hampered in their work during the political struggles of 1919-1920, while the civil strife in 1922-23 and the absence of an effective policing of the rivers and spawning streams had a very serious effect. Poaching on the fishing rights of owners of rivers, and the killing of breeding fish in the close season were common occupations in the more remote areas where the civil conflict was heaviest. The Boards of Conservators suffered in revenue, as licence duties were not paid in many districts, and as a consequence these Boards were unable to employ adequate staffs of water-bailiffs to secure observance of the fishery laws. The Civic Guard was in process of formation, and the excellent services which that force has been rendering in protecting our rivers since 1923 were not then available in the remoter districts where illegal operations were openly being carried on. The disturbed state of those districts in the South and West, which contain our best angling grounds, deterred anglers from following their usual holiday sport, with consequent loss to the fishery owners. Many of these owners were, in consequence, unable to pay watchers to protect their rights even in cases where they considered that such protection would be effective. In addition to these serious causes which, if allowed to continue

for a few years longer, would have speedily destroyed our valuable salmon and trout fisheries, several defects in the laws regulating the freshwater fisheries existed, the removal of which was a necessary preliminary to the work of developing that industry to its fullest capacity.'

These various adverse factors had between them created a most melancholy situation by the time that the new Department of Fisheries was set up at the beginning of 1923. With approximately 1,000 miles of seaboard, close to excellent fishing grounds in the Atlantic, and with the vast English markets alongside, there is no more dismal sign of the backwardness of Irish industry than that there should be barely 11,000 men returned as being wholly employed in fisheries. And even of this small total, the Fisheries Department estimates that less than 2,500 men in all—the fishermen of Clogher Head, Balbriggan, Howth, Arklow, Ballinagoul, Dingle, Galway, the Aran Islands and Downings Bay, with a few scattered crews in other districts—can be counted as whole-time fishermen. The remainder are engaged in fishing only during certain seasons, and normally work on the land when there is no fishing available in their immediate districts. Only by a bold policy of constructional and commercial development could a serious improvement be brought about. Not more than twelve natural harbours with deep water landing facilities and safe shelter are equipped with railway connections; while 35 other harbours either have no direct railway connection or at present afford only shallow berthage at low water. There are more than 300 other small harbours scattered along the seaboard with piers or landing places at which fish is unloaded from small boats. The possibilities for development are therefore very great; but commercial organisation must be organised as well. At present Dublin is the only

fish market in the whole Free State; and its situation, inconvenient both for the railways and for shipping, causes great additional expense for haulage and handling, the cost of which has to be borne by the fishermen.

When the Free State's new Department of Fisheries had to face this formidable problem, there were nearly 1,500 loans outstanding from the previous regime, the total amounting to just over £150,000. Of this roughly £100,000 was not yet due for repayment; but over £49,000 represented instalments of loans which had fallen into arrears. During its first year, the Department made new loans amounting to a further £12,500; and by the end of the year the arrears had increased by £20,000 more. In the following year some £11,000 more was advanced, while arrears grew again by £16,000; and in 1925-26 a further £8,000 was lent, while the arrears increased again till they had amounted to very little short of £100,000, which was nearly two-thirds of the total amount outstanding. This rapid and alarming growth in the arrears of loans, which it had been impossible to refuse at the time they were granted, reflected the increasing depression of the industry. In 1920 barely 4 per cent. of the amount was in arrears; when the new Department of Fisheries was established in 1923, the proportion had grown to 33 per cent., and it was 62 per cent. in March 1926.

But a great deal of this unsatisfactory position was a legacy from the European war, and was essentially similar to the corresponding difficulties in England and elsewhere. It represented the inability of fishermen to continue the large payments for motor boats and equipment to which they had become committed in the boom years during and immediately after the war. The Congested Districts Board had received £32,500 from the British Development Commission

to provide power fishing vessels for the Irish fishermen when fish supplies had grown desperately scarce; and with this grant to supplement its own resources, the C.D.B. made advances on easy and attractive terms to enable fishermen to buy boats and motor engines. They bought motor boats recklessly in Scotland and elsewhere; and so long as the high prices of fish prevailed there was no difficulty or delay in paying the instalments as they fell due. But the market broke with a suddenness that was overwhelming. The large fleets of steam trawlers released from war service glutted the markets where famine prices had ruled for years, and fishing for the British markets became impossible almost at once for the small and inadequately equipped Irish fishing fleets. Prices had been so high that the heavy railway charges for transport under an almost unorganised system were easily covered; but the English and Scottish fishing fleets, with their superior equipment and organisation, were able to undersell the Irish fishermen as soon as normal conditions returned. For the herring fisheries an additional and paralysing difficulty had arisen through the inability of Germany and Russia to buy from abroad; and this collapse of the European market had such disastrous effects even upon the English and Scottish fishermen that the British Government lost in one year nearly £1,500,000 in trying to revive the former trade.

The Irish Department emphasises these losses in Great Britain in explaining the appalling collapse of the Irish fishing industry that followed so swiftly after the prosperous years of the war. 'The fishing population of whole villages in south-west England,' its report points out, 'emigrated to Canada at this time, and more than one-half of the steam trawlers of England were laid up in port owing to collapse of markets. Added to these disastrous conditions which

affected the fishermen generally throughout England, Ireland and Scotland, our own political disturbances rendered it impossible for fishermen to continue their calling. Dingle, Cahirciveen, Baltimore, Galway, Burtonport—in fact most of our fishing ports on the South and West were cut off from rail facilities during the pre-Truce struggle, up to 1922. The Civil War, 1922-23, once more cut off these districts from markets, and it was not until the close of 1923 that regular fishing became possible. The effect of industrial disputes in England after 1923 caused the mackerel and fresh herring demand to be poor, thus delaying the revival of our staple fisheries.

'The effect of this long-continued series of adverse conditions had the natural result upon the owners of large motor and steam vessels who were still heavily in debt to the State for advances obtained for their purchase. Costly motor engines were neglected. Salt-spray and bilge water reduced many to a state of solid rust. Costly nets rotted through disuse; hulls and rigging exposed to weather for many years without constant attention deteriorated rapidly. Most of these loans had been granted on the security of the boats and engines alone, and in order to prevent complete destruction of the property the Department was compelled to take possession in several cases; 27 motor boats and 8 sailing vessels have been taken up in this way since 1923, and are being fitted out in the Department's yards for disposal. In Arklow and Howth as well as Cork and Kerry, where the conditions of the industry since 1924 would have warranted the expectation that arrears would be more substantially reduced, the owners were compelled to expend most of their earnings on the provision of nets and the repair of their motors, which expenditure was necessary in order to keep the boats fishing.'

In regard to the inland fisheries, improvement has

been much more rapid, though as the Department's report states, 'conditions could hardly have been worse' when it assumed control. 'Private rights were being invaded,' as the report puts it, 'poisoning and dynamiting of rivers were common, and the weekly close season was ignored' throughout the years 1921-23. 'In many districts,' it continues, 'the Fishery Boards were powerless to assert their authority, and the bailiffs were overpowered by armed bandits.' But conditions improved with surprising rapidity when the civil war came to an end; and when the Civic Guard had been established safely in every outlying district, 'there was a general return to normal.' But by the beginning of 1923 it had become apparent that something much more than a return to the normal was needed to restore the salmon and fresh-water fisheries. The Department was crippled by lack of funds, and at the end of 1923 an Advisory Committee on Inland Fisheries was appointed, with Sir Thomas Grattan Esmonde as its chairman. It made various recommendations which were embodied in the Fisheries Act of 1925, the main provisions of which increased the licence duties payable on rods and nets, etc., and transferred to the Fishery Board the powers of buying and collecting rates on all valued fisheries.

A rapid increase in the quantity of salmon sold from the Free State fisheries was soon apparent in the returns. The value (excluding those caught by rod and line, for which no data were available) increased from less than £200,000 in 1923 to nearly £260,000 in 1924 and 1925, with a considerable increase in quantity, though not in price, in the latter year. The drift net fishing for salmon in the open sea is a very important source of profit to the fishermen along the coasts of Donegal, Mayo and Galway, and the Department of Fisheries is occupied with the development of

this local industry, which for several months is a valuable supplement to the meagre earnings of the small farmers and their families along the coast. Inland, the rapid development of fishing, in spite of increased licence duties, has been a welcome sign of a return to normal and of the steady recovery of the Free State as a country for sport. In 1922 less than 1,500 rod licences were taken out, and the number has increased very remarkably each year since. In 1923 there were over 1,800 licences; in 1924, over 2,850, and in 1925, nearly 3,500. The Fishery Boards of Conservators have naturally concentrated most upon the protection of salmon fishing, which is their chief source of revenue, but the Department of Fisheries has given every encouragement to the voluntary associations for trout preservation. The State hatcheries have done much to restore the loss of fish in the rivers during the years when control was absent, and the output of salmon and trout was more than doubled between 1923 and 1925.

CHAPTER XXI

THE SHANNON SCHEME AND INDUSTRY

Ireland's lack of industrial power—Problem solved by the Shannon scheme—The Liffey power schemes—Offer by the Siemens-Schuckert company—Their report on the Shannon—The international committee of experts—Their opinion completely favourable—Popular objections disproved—Natural advantages of the Shannon—The partial development—Comparison with other countries—The Shannon Act, 1925—Investigations in America and Canada—Various requests for a concession turned down—The Central Electricity Board—Prospects of early success—Effect on industrial possibilities—Difficulties shown by the Fiscal Inquiry Committee—Lack of confidence and of capital—Restricted home markets—Post-war depression and anarchy—A new outlook created.

In reviewing the various conditions which had retarded or prevented the growth of Irish industry, the Fiscal Committee appointed by the Government in 1923 laid emphasis on two fundamental disadvantages. One was the absence of raw materials for almost any industry in Ireland, other than those based upon the products of agriculture, such as bacon curing or distilling or milling. The other was the complete absence of any natural resources of power by which industries could be worked. The cost of importing coal has been a very heavy addition to the expense of the railways particularly; and in the interior of the country, or along the western seaboard, the cost of coal has always been so prohibitive that it is little used even as domestic fuel. Hence, even if the Free State were to import raw materials for industrial develop-

ment, its lack of industrial power has hitherto made it impossible for such industries to compete with those in England and other countries where power is plentiful and cheap. This disadvantage had been so apparent for years, and seemed to be so insuperable, that no one ever seriously considered the possibility of any really large development of Irish industry until the past few years.

But even since the Fiscal Committee published its report, the whole outlook has been transformed by a bold stroke of policy on the part of the Irish Government. The Shannon scheme is admittedly capable of producing enough electrical power to provide an almost unlimited industrial development, in addition to working the more busy parts of the Irish railway system on a more economical basis; and work has been proceeding for several years now upon the excavations for the new water-course of the Shannon and the construction of the main power station close to Limerick. The great standards for carrying the overhead electric cables, similar to those which run through Berlin and across many of the Continental countries, have already begun to spread for many miles across the country, from Dublin westward and to the south. And the work has been proceeding so satisfactorily, in spite of some industrial troubles at first, that it is well ahead of its scheduled time table. By the end of 1928 considerable areas will already be receiving unlimited power from the hitherto unexploited resources of the river Shannon; and within a few years the first stage of the scheme, providing sufficient power to supply all existing requirements in the Free State, will have been completed at a capital cost of about five million pounds. The whole Free State will in fact have been supplied with the power which it has hitherto had to obtain from expensive imports of coal, for an outlay of capital no larger

than that of a drapery trust or a tobacco combine in England.

Nothing has been more expressive of the courageous attitude of the new Government towards the country's economic reconstruction than the decision to embark upon this colossal scheme. And the manner in which it has been approached shows a combination of practical ability with imaginative enterprise which does infinite credit to the sponsors of the scheme. It was Mr. Hogan, the Minister for Agriculture, who said boldly, in reply to those who criticised the scheme as being too ambitious, that the Government was determined to 'give the people something big to think about' in the years of despondency and distrust that followed upon the establishment of the Free State. Other schemes had already been prepared, with considerable encouragement from the Government at the outset, for a much more limited electrical output by utilising the water power of the Liffey. The Liffey proposals could not have failed to be remunerative; for the amount of electrical power that could be provided would not exceed the existing demand in the Dublin district alone; and the electrical power would have been provided at a cost well below the price of imported coal. But the Liffey scheme had no further possibilities; and the Government was before long strongly urged by some of its technical advisers to withhold further encouragement from the promoters of the various Liffey schemes, until the much more ambitious possibilities of the Shannon had been explored.

With the revival of confidence, as peace began to be restored, the Government gained courage. Withdrawing all further encouragement from the smaller schemes, it decided boldly to invite the famous German firm of electrical engineers, the Siemens-Schuckert Company of Berlin, who had an unrivalled reputation

all over Europe for carrying through such undertakings, to make an exhaustive report upon the possibilities of producing electrical power from the Shannon as a commercial proposition. It signed an agreement with the German company under which they were to conduct a complete investigation and prepare a report; but, although they were to be given the contract if their report was approved by the Irish Government's experts, they were to receive no remuneration whatever if they failed to convince the Irish Government that their proposals were both practicable and economic. The question had already attracted a great deal of attention under the first Dáil, during Sir Hamar Greenwood's administration, when Sinn Féin undertook a complete survey, by its own expert committees, of the economic resources of Ireland. That the Shannon provided great possibilities for producing electrical power was well known. It had long been considered, as the similar Severn scheme had been considered in England. But the very immensity of its possibilities was overwhelming. No one could say either what the cost of an electrification scheme would be, nor what purposes it could be made to serve, in a country which was lacking in industries or in the raw materials needed for industrial development.

And when Messrs. Siemens-Schuckert, after a very elaborate survey, produced a voluminous report in 1923, which gave a most encouraging picture of the very large resources of power that could be derived from the Shannon, it was not only those experts who had become committed to less ambitious schemes who regarded the German firm's report with suspicion, and talked disparagingly of the eagerness of a great industrial company to obtain so large a contract in a new country. The Government itself declined to accept the report without obtaining an independent

opinion from a body of recognised experts. Its provisional agreement with the German firm had stipulated that its report must first be examined and approved by expert electrical engineers with wide experience. In September 1924 it appointed an independent committee of such experts, and left the whole question in suspense until their verdict had been received. The committee consisted of four electrical engineers of international reputations. Two of them were engineers of very high standing in Zurich, Messrs. Eugen Meyer-Peter and Arthur E. Rohn ; one from Stockholm, Mr. Waldemar Borgquist, was the Director of the State Electricity System in Sweden ; and the fourth, from Christiania, Mr. Thomas Norberg Schulz, was deputy Director of the State Electrical Department in Norway. Their experience was all the more helpful because it was concerned chiefly with small countries, where the local demand for electrical power, and the possibilities of industrial expansion, were more or less similar to those of the Free State. The experts carried out a thorough examination of all the relevant conditions and spent some time in a preliminary survey of economic conditions generally in the Free State. Having become acquainted with these fundamental conditions, the experts then considered the Siemens-Schuckert proposals from two points of view particularly : first, the potential demand for electrical energy in the Free State, and the distribution of supply ; and secondly, the technical details of the scheme. Then, having considered the financial estimates submitted by the German firm, they presented the Irish Government with their report, insisting upon various additions to it which they considered necessary.

It was this report by the independent experts at the end of 1924 that decided the Government to go ahead boldly with their scheme, and that convinced the

incredulous public in Ireland of its vast possibilities in return for an astonishingly small expenditure. The experts began by emphasising the importance of the land system in relation to any such enterprise. Without the land purchase reforms which had made the tenant farmers owners of their land, it would never have been a practical possibility. But the Committee were satisfied that 'while the earlier disadvantages have only permitted a gradual improvement in the agricultural and industrial conditions in Ireland, yet the experts are of opinion that the big economic difference formerly existing between Ireland and other small States has been very much reduced'; and that the time had come when Ireland could embark upon a scheme of electrification such as all modern States have come to consider. The problem was, whether the Government should cautiously introduce a number of small electrical schemes designed to supply power in those few districts where an effective demand for power and lighting already existed, or whether a bold national scheme should be undertaken, by stages, which would involve a larger initial outlay of capital but would ultimately produce power much more cheaply than would be possible with smaller installations. The electrification of Ireland, the experts declared, 'must not be regarded as a purely business affair but as a great national economy question. The goal must not be maximum money profits when the interests of the whole country are to be served; it is much more a question of a supply of electricity *for all* under the *best* possible conditions at the cheapest possible prices, allowing for a moderate return on State invested capital.'

But it was not only this agreement by the experts with the Government's conception of the scheme that made so profound an impression. The experts declared their opinion that although the natural

possibilities of the Shannon were limited owing to the flatness of the country, yet they fulfilled more technical requirements than most people had ever considered. For instance, the scheme had immediately caused fears that it would introduce new problems of flooding in areas that had never suffered from flooding before. The experts reported that the scheme would not only cause no new flooding, but would provide a remedy for existing problems of flooding in many places. They recommended strongly that the Government should immediately prepare a scheme for the drainage of all areas adjacent to the Shannon actually subject to flooding, which could be carried out in conjunction with the electrification scheme; and that in this respect, by creating embankments along some 150 miles of the river, they should adopt the full programme of the German scheme while only the partial development of electrical power was being undertaken. Secondly, the Shannon was found to provide almost ideal conditions in regard to the seasons when most power would be required. In Switzerland and Italy, the maximum power can only be generated when the mountain snows melt in the spring; but it is in the winter that additional power can be most helpful, to provide for local industries in which the agricultural population can find new occupations during the long winter months. And the Shannon is always at its highest throughout the winter. On the other hand, the Shannon, as a slow river flowing through several hundred miles of flat country, was obviously less capable of generating power; but the experts confirmed the opinion of the Siemens-Schuckert engineers that a very considerable fall could easily be obtained by excavation and constructional works close to the town of Limerick.

Most favourable of all was the geographical construction of the river, from the point of view of

storing the water required. Following its course backwards from Limerick, the map shows immediately the three natural divisions of the proposed scheme. Behind Killaloe, Lough Derg provides a great natural reservoir through which the river passes. For the purposes of the first stage—called the partial development—Lough Derg provides exactly the conditions that are required. For the further development, in the second stage, Lough Rea provides a second natural reservoir further back; and for the final development, in the third stage, Lough Allen, still further back, would be utilised as a third reservoir. And when the full possibilities of the Shannon had been thus exploited, the experts were satisfied that the Liffey could be utilised in the same way, to supplement the electrical power required for the Dublin area. But in the meantime, they were also satisfied that under the Shannon scheme, even in its first stage of development, electricity could be provided to Dublin more cheaply than by the Liffey scheme, which could only benefit the Dublin area in any case.

From the first stage of development alone—the partial development—it was estimated, that even in a very dry year the power station at Ardnacrusha, just outside Limerick, would generate some 150 million units of electrical energy, and an additional 90 million units during the winter months. In an average year nearly 300 million units would be generated; and in a very wet year more than 350 million. The partial development scheme provides for supplying electricity to all the cities and towns and to practically every village of over 500 inhabitants. Incidentally it includes improvement in the drainage of the Shannon basin and the navigation of the river, carrying out some of the principal recommendations of the Royal Commission on Irish Canals, which would have required an expenditure of £250,000 for the improve-

ment of the Shannon shipping alone. The total cost of the partial development, including the additional requirements recommended by the experts and allowing for such a deepening of the river bed and other initial expenditure as would be necessitated by the final development, was only £5,200,000; while the total cost of the whole scheme, including the final development, was to be under £8,000,000. The experts estimated that the scheme could not pay a dividend for five years; but that even under the partial development, electricity could be supplied at ½d. per unit everywhere, and that under the final development, when the demand for electrical power had increased to the full extent of the capacity of the scheme, it could be supplied at ¼d. a unit.

In view of the entirely favourable report by its committee of independent experts, the Government did not hesitate any longer. The only problem was to know whether such a vast increase in the output of electrical power would be absorbed within a reasonable time. On this matter the Government decided to adopt the unhesitating advice of the experts and gamble boldly, having considered the relative consumption of electricity in many other countries of similar economic organisation. The backwardness of the Free State in its use of electricity was indeed amazing. The proceedings of the World Power Conference, which had taken place at Wembley in 1924, had shown figures for a great number of countries. Norway, Switzerland and Sweden—the three countries from which the experts appointed by the Government had been drawn—have shown an immensely rapid development in the use of electrical power in recent years. Even in Denmark the consumption per head of the population was 60 units, as against the Free State's 16. In France it was 147 units per head, in Holland (where no national electri-

fication scheme had been possible) it was 87; in Norway it was 420; in Sweden, 483; and in Switzerland 790. And although the figures suggested a vast difference in the whole organisation of these countries as compared with the Free State, closer enquiry showed that the habit of using electrical power is only of recent growth. Twenty years ago, the economic development of these countries which now use electrical power on so large a scale, was very little less backward than is that of the Free State to-day. What had happened in Norway and Sweden and Switzerland, said the experts, was only to be expected in Ireland as well. And the Government, rejoicing in such support for its own more modest hopes, decided to take the risk and go ahead. The experts had shown that even the expansion of demand necessary to utilise all the power produced under the final development would still be much less than the existing demand in most other countries.

In 1925 the first Shannon Act, providing for the adoption of the scheme, was passed through the Dáil in an atmosphere of public enthusiasm, which even the industrial troubles over the rates of wages paid to local labour by the Government did not discourage. The Government realised that the whole estimates for the scheme depended upon cheap labour; and while paying wages appreciably higher than those for farm labourers in the district, it refused to increase the scale of wages further. In March 1927 the scheme had already made such progress that Mr. McGilligan, in introducing the Electricity Supply Bill, declared that, once the new Electricity Board had been appointed under the Bill, to take over control of the work, there would be no further connection between the Shannon scheme and his own Ministry of Industry and Commerce. In introducing the Bill he reviewed the history of the investigations and negotiations

concerning the scheme and explained how it would affect the existing electrical undertakings and how much was expected of its first stage. It was intended to provide electric current to all towns and villages of over 500 inhabitants; which included about 225 such towns and villages, with a total population of rather more than a million people. At present the electrical supply of the Free State was provided by twenty statutory undertakings and ninety unauthorised undertakings of appreciable size. The statutory undertakings were authorised by Order under legislation and given a monopoly within a prescribed area, while consumers were protected within that area. Of the twenty undertakings of that kind, five were privately owned and five owned by companies, while fifteen were under the control of some form of municipal authority. Villages and towns with 500 population and upwards which were entirely without electricity included an aggregate population of about 264,000. The problem confronting the Government in connection with the Shannon scheme was that, whereas under ordinary conditions the consumption of electricity should have advanced to about 70 million units by 1929, it would be necessary to sell about 110 million units to make the scheme remunerative.

With that problem in mind, Mr. McGilligan had himself made a tour of investigation in America and Canada. A study of legislation through Europe and America showed that the whole tendency concerning the ownership of natural resources of water power or fuel was towards State ownership and State control. The one big fact emerging from the study of the different legislations and methods of administration was, he said, that the State assisted, for a certain period of years, with all the facilities for raising loans and the ease to credit that affiliation with the State could give. Another thing which seemed to be

accepted as certain was that, the greater the consolidation of powers with regard to distribution, the greater benefits would flow to the consumer.

Various approaches had, he explained, been made to the Irish Government by persons anxious to obtain a concession to work the Shannon scheme, from which the conclusion became apparent that for various reasons—especially on account of the necessity of attending to rural industries; in face of Article 11 of the Free State Constitution; and because the likely interest rates that would be looked for from investments in the Free State would not be up to American or Continental conditions—no offer that could be considered had come from any of these people. The difficulty of safeguarding national interests while giving a concession to a foreign company became greater and greater as the investigation went on. The Government had found that the danger of handing over to anybody operating for gain such services as the supply of electricity were so great that it simply could not be attempted. At the same time, however, the Government had decided that to allow such a scheme, down to the supply to the consumer and getting from him the money he would have to pay for such service, to be run by an ordinary Government department would be quite as dangerous. In trying to find something between an unlimited private corporation and an unlimited State department, the South African system had been especially considered. The Swedish system had also been considered and, with certain changes to fit the circumference, this system was being followed in the Bill.

The Government had therefore decided to hand over the entire working of the scheme, on a monopolistic basis, to a Central Board. It was considered that no injustice would be caused by consolidating the existing municipal undertakings into one, or by

buying out the privately owned undertakings on terms fixed by agreement or arbitration, and there were strong reasons for allowing the new authority to take over, completely, control of the distribution of supply. The Board was also to have power to make purchases and to sell all manner and types of electrical appliances. Control was to be exercised by a Central Board, consisting of a chairman and not less than two or more than six additional members, to be appointed by the Executive Council. They would be appointed for five years and would be eligible for re-election. The Board would be removed as far as possible from political pressure and from incessant Government watchfulness and Parliamentary interference, but there would be as much publicity as possible concerning its operations. The Government wished that the Board should be set up and armed with the fullest possible powers for carrying out its task, and if it did not succeed in performing it, then it would be a case for dismissing the Board.

On that basis the whole situation in regard to the Free State's former lack of industrial power had been changed. The Government's estimates of a growing demand for electrical power do not even take into account the probability of the railways being partially electrified. By normal expansion of the demand for electrical power for ordinary domestic uses and for industrial purposes, it is assumed that the Shannon scheme will almost from the outset be placed on a paying basis. But the high costs of transport in Ireland enter into every problem of creating or developing industries; and if the railways can be partially electrified before long, with a substantial economy on working expenses, that factor alone will bring new hope for Irish industry. One of the principal obstacles to all industrial development in the Free State will at any rate have been removed; for among

the various disadvantages which were set forth by the Committee of Fiscal Enquiry appointed in 1923, the lack of industrial power was one of the most important. At that time the Shannon scheme was scarcely yet contemplated as a matter of practical politics. But it has since given new hope of reducing within a few years two of the most serious disadvantages of the Free State in the past—the lack of cheap power, and the excessively high costs of transport.

Once these natural disadvantages have been overcome, the other principal disadvantage, in the lack of raw materials, will be a less serious handicap. Many of the great industries in Great Britain depend entirely upon imported raw materials, and once skilled labour can be trained in the Free State the cheap electrical power supplied by the Shannon should give to Irish industries conditions no less favourable than English industry has enjoyed through the abundance of cheap coal. But the programme of making Ireland a self-supporting country is sheer illusion. Agriculture will require an increasing amount of imported feeding stuffs and fertilisers, as its scientific development proceeds, and practically every Irish industry will depend on imported materials. The woollen industry; paper-making; the jute industry; fertilisers; brushes; pottery; coach-building; furniture; agricultural machinery; bicycles—all require raw materials which cannot be produced in the Free State. Even flour-milling requires wheat which cannot be grown profitably in a climate as wet as the Irish. Nor can the local supplies of barley ever alone suffice for the distilling industries of Dublin and Cork; while the Guinness breweries, the most important industry in the whole country, are no less dependent upon imported materials.

Nor can it be expected that the other main difficulties which impressed themselves upon the Fiscal

Committee will be quickly overcome. The lack of skilled industrial labour can be met only gradually by technical instruction; but even that requires the existence of industries to produce employment for apprentices, if the Free State is not to spend money on training men for emigration to other countries—as has been the case for so long with the medical profession, and to some extent with the clergy. Another problem which has since solved itself to some extent, at the cost of much hardship and discontent, was the existence of a higher rate of wages in Ireland after the war than in Great Britain or in Northern Ireland. The Committee heard a great deal of vague complaint to this effect, which could not be proved in fact; but its own enquiries established the fact that wages had actually remained at a very considerably higher level after the war in certain industries in the Free State than in Great Britain. The Committee refused to admit that this proved that labour costs were higher, since there was no evidence to show that Irish labour was not more efficient, when it was better paid. This rather optimistic attitude on the part of the Committee was not supported by any evidence on the subject; while it admitted that 'in many industries there was a widespread feeling of dissatisfaction on the part of the employees with the efficiency of labour in their particular industries.'

The lack of a tradition of industrial development and of the continued success which breeds confidence—resulting entirely from the melancholy history of Irish misgovernment and coercion—was the cause of other difficulties which the Fiscal Committee had to consider. Capital is not only scarce in Ireland, owing to the economic backwardness of the country, but cannot be attracted easily from other countries because confidence is lacking. In Ireland itself this lack of confidence leads to a tendency to place all

savings on deposit in the banks instead of investing it in enterprises; and the banks—partly through absence of opportunity for safe investment in Ireland, and partly because they can employ their deposits more profitably in England—have for years placed their investments outside of Ireland. The Fiscal Committee referred discreetly to the responsibilities of the Irish banks in the matter, but pointed out that they could not be expected to finance new companies, and even said that they had already 'gone as far as the limits of safety will allow' in 'affording credit facilities to well established enterprises.'

From the same conditions of retarded development arose yet other difficulties. With very few exceptions, none of the Irish industries have been able to cater for more than the local markets in Ireland; so that their overhead charges remain very high in proportion to the amount they can hope to produce. This restricted market prevents all possibility of production on a great scale, with its resulting economies from the introduction of large machinery; and this also makes it impossible for skilled labour to specialise, as it can in Great Britain or Germany or the United States. A further result is the absence of highly organised business; and the trade unions' complaint that high costs of production were due rather to inefficient management than to high wages, ignored the fundamental difficulties. The Fiscal Committee attributed the fault partly 'to the absence of a widespread system of higher commercial education'; but added that in those industries which have to be conducted on a small scale, 'it would be difficult even with efficient management to effect the fullest economies in production.' It noted, however, the important point that 'the methods by which managerial staffs are sometimes recruited are not such as to lead to the highest grade of efficiency.' But in one respect there

was obviously room for improvement. The marketing organisation of Irish industries was still hopelessly behind hand. Industrial advertising is still very small; and the training and selection of commercial travellers receives as little attention in most cases as does the highly important question of encouraging customers by attractive methods of presenting Irish manufactures. This failure to adopt modern methods on the part of the Irish manufacturers has been one of the chief causes of the prejudice against them, which has survived all the constant appeals to buy Irish goods as a patriotic duty.

All these various difficulties have in the past had a profoundly discouraging effect upon industrial enterprise in Ireland; and everyone who looked forward to conditions of self-government from before the war had foreseen how long it must be before their cumulative results could be overcome. No one, however, foresaw the appalling addition to such discouragement which was to be thrown upon the Free State in the first efforts towards reconstruction. The world-wide depression consequent upon the European war would alone have created difficulties and new problems such as no one had contemplated before the war. Markets had entirely disappeared owing to the collapse of purchasing power all over Europe, and to some extent in Great Britain itself; and unemployment in Ireland, as in every other country, had reduced enormously the normal capacity of the home market in Ireland.

All that was bad enough; but the Black and Tans had by a deliberate policy of wreckage made conditions vastly worse than they need have been; and the suicidal destruction of the civil war had left the economic life of the country wrecked for years to come. Enterprise had been entirely discouraged in every direction; credit had been shaken terribly;

the whole normal working of the country's trade and industry was desperately dislocated. Transport became undependable as the civil war developed; roads, railways, important bridges, were in ruins in many places. Labour had grown profoundly restless through the combined results of political agitation and widespread unemployment. It was no wonder that industry was stagnant and enterprise paralysed. The marvel is that the Government has done so much to restore confidence in the country, and to promote a general revival of trade. And with the Shannon scheme it has at once taken steps to provide the Free State with natural resources which have hitherto been wholly lacking, and has created new possibilities of rapid expansion, under conditions as favourable as those of almost any country in Europe, which had never been even contemplated as a vague possibility in former years.

CHAPTER XXII

PUBLIC CREDIT AND CURRENCY

The first National Loan, 1923—A barometer of public confidence—Remarkable improvement in credit—The second Loan, 1927—The issue in New York—Better security and higher price of issue—Both Loans quickly oversubscribed—The Free State's small total indebtedness—Less than one year's revenue—The Coinage Bill, 1926—A better token coinage, with a profit—The Currency Bill, 1927—A new bank-note system—Bank-notes versus cheque-books—The Currency Commission.

SINCE the successful flotation of the Free State's first National Loan at the end of 1923, the price which it has maintained on the Stock Exchange has provided the most reliable index of the country's growing sense of security and confidence. To have floated the first Loan at all, when the Free State was only emerging from a state of civil war, and when the Loan itself was required only to pay the cost of so much futile and senseless destruction, was one of the biggest achievements of the new Government in those first critical years. Mr. Blythe, as Finance Minister, had to appeal to the country to make an act of faith, to the extent of 10 million pounds, at a time when the Ministers themselves were still very little known to the public at large, and when the resources of the people were severely diminished by years of anarchy. But the amount was oversubscribed within three weeks, largely through the co-operation of the Irish banks; while the Protestant community came forward with generous support far beyond what had been expected.

The Church of Ireland, Trinity College, the Guinness breweries and other great Protestant interests which had larger financial resources than any other bodies in the Free State, gave immediate and conclusive proof of their desire to throw in their lot unreservedly with the new regime.

Issued at 95, the Irish Loan offered 5 per cent. interest, with substantial provisions for debt redemption. These terms were at the time not much more advantageous than the prevailing terms of any other gilt-edged security floated in the British Commonwealth. What should have given special strength to the credit of the Free State was that the new Dominion was virtually free from all indebtedness, apart from the vague obligation in Article 5 of the Treaty, which has since been cancelled altogether—to assume liability for a proportionate share of the British National Debt. But the general sense of insecurity that had been created by the civil war and by the refusal of the Republican Party to recognise the authority of the Free State Government, counterbalanced this immense advantage which ought to have afforded an almost unlimited credit to the new Government from the outset. When the first Loan for 10 millions was floated, there were grave doubts as to whether even that relatively small amount could be raised in the circumstances ; and although the amount was in fact oversubscribed quickly, and the Loan was almost immediately quoted on the open market above its price of issue, its market price became the recognised barometer of public confidence. Before long the growing sense of security carried the price of the Loan well beyond its price of issue, and within a few months it was quoted on the Stock Exchange at 99.

But the troubles within the Irish Army, commonly referred to as the ' mutiny,' which arose in the spring of 1924, shook public confidence at once and the price

fell below the level at which it had started. There was a corresponding shrinkage, during several months, in the subscriptions for Savings Certificates; and it was not until the late summer that confidence had become fully restored. The price of the National Loan rose steadily until it actually passed 100; and in 1926 it stood so high that the Irish Treasury had difficulty in finding favourable opportunities for buying the stock for redemption out of the sinking fund. Then the price broke again quite suddenly, with the assassination of Kevin O'Higgins; and although it recovered quickly, its level for several months remained comparatively low. It was depressed again by the results of the general elections in September 1927, chiefly because the London Stock Exchange had expected a sweeping victory for Mr. Cosgrave—in ignorance of the general desire in Ireland for a change of Government; and in forgetfulness of the working of Proportional Representation, which precludes all possibility of any kaleidoscopic changes in the Dáil. A few months of experience, however, had shown that the Republican Opposition had definitely turned its back on methods of violence, and credit recovered rapidly. In December 1927 Mr. Blythe was able to announce that the second Loan—intended this time for works of reconstruction in a peaceful and well-ordered country—would be issued on terms more favourable to the Treasury than in 1923.

The contrast between the conditions surrounding the two Loans could scarcely be more remarkable. In 1923, Mr. Blythe, still almost an unknown man, grappling with a chaotic condition of the finances which offered no prospect of a balanced Budget, had to appeal for £10,000,000 to be spent entirely on paying claims for compensation to those whose property had been wantonly destroyed. The year's

expenditure was over 40 millions, or nearly double what could be produced by normal revenue. Large arrears of taxation were still outstanding, and their collection was doubtful. A standing Army had been organised to cope with the irregular forces of the Republicans, and its demobilisation could not yet be contemplated. Agriculture and all industries were beginning to feel the devastating effects of continued trade depression. Transport and communications were in a state of chaos, owing to the deliberate destruction of bridges and roads. Everywhere there were houses and public buildings in ruin; and the propertied classes were leaving the country as quickly as they could.

'In 1923,' said Mr. Blythe in his speech announcing the terms of the new 1927 Loan, 'I said that we need not anticipate any renewal of organised violence or any renewal of war conditions. We have now got long past the stage when any such assurance need be given. We have now conditions in which we may look on political stability as being absolutely assured. During the past two or three years economic conditions have been difficult because the price of agricultural produce has been steadily falling, and in this country, which depends almost entirely on agriculture, the prosperity of every class of the community depends in some measure on the prosperity of agricultural operations, and they could not be good so long as the prices of agricultural produce were falling. They are now so low that one must believe that they have reached bottom. If the decline has ceased we may look to the future with a great deal of confidence. This year,' said Mr. Blythe, 'for the first time some of the available statistics gave more reason for optimism than any previous figures. The figures recently published with reference to the quantity of live stock in the country showed an increase, and also the

figures relating to traffic carried on the railways, and of banking transactions.'

But whereas the previous Loan had required 10 millions all at once, the Government now proposed to ask for only a smaller amount, since they had found previously that it could not be utilised all at once, and there was a loss of interest while the money was lying unexpended. Already, under the original sinking fund provisions, more than one million out of the 10 millions subscribed in 1923 had been repaid by debt redemption; and it was not intended to raise more than 7 millions more immediately. It was required solely for the furtherance of the Government's reconstruction schemes—especially for the Shannon scheme, the drainage of wide areas subject to flooding and the organisation of agricultural credit. Those schemes would probably require 15 millions in all, but the remaining 8 millions would not be needed for another two years. The Government now felt confident—as it had not felt in 1923—that it could henceforward float such new Loans for reconstruction schemes whenever need should arise. There was every probability that the next Loan could be issued on better terms, as economic conditions in the country improved; and there was no longer the same special reason for borrowing as there had been when the Irish Exchequer received only half of the income tax on investments held by Free State citizens in other countries. The recent arrangement with the British Treasury to abolish double income tax payments had removed this difficulty; and there was no longer the former reason for creating an Irish Trustee stock into which Irish citizens could convert their other securities. In the new Loan, as in the first, special attention was paid to the small investors, and there was no longer the same anxiety in depending upon large investments. In 1923, the first subscrip-

tions had included one amount of £300,000; another of £250,000; and two of £100,000 each; but the bulk of the 10 millions obtained had been subscribed in small sums; so that the average allotment had been of about £300 to each subscriber. In the second Loan the Government counted again on the small investors—not least with the object of making as many people as possible investors who would be directly concerned in the stability and the prosperity of the State.

The principal new feature of the second Loan was the flotation of part of it in the United States. Technical reasons had shown the desirability of having a loan issued outside of Ireland as well as the purely Irish Loan. The Dublin Stock Exchange is obviously limited in its capacity to absorb shares that may be offered on any one day; and holders of Irish stock who may wish, for any reason, to sell out their holdings at short notice have frequently had to sacrifice a point or even more in the value of their shares in order to find buyers quickly. It was evident that either in London or in New York such restrictions could be avoided, and that a market could always be found there immediately for any stock which offered really advantageous terms. Mr. Blythe had to choose between London or New York for the flotation of this part of the Loan, and for obvious reasons he chose New York. The complaints that this decision displayed a prejudice against trade with England cannot bear examination. In the interests of Irish credit Mr. Blythe had to choose whatever centre of international finance was likely to give most constant support to an Irish Loan; and the Stock Exchange of New York not only offers a much larger market for the Irish Loan than London can, but serves many more rich people who are actively sympathetic towards the consolidation of Irish National credit. For that reason alone New York was obviously the more

promising place to float the Loan—even apart from the temporary conditions which in 1927 made much more capital available for new investments in America than in England.

Out of 7 millions to be borrowed for reconstruction purposes, therefore, Mr. Blythe decided to raise 4 millions in Ireland and 3 in New York—creating for the American investor a new dollar stock, with the same rate of interest and sinking fund provisions. This American portion of the Loan was to be issued by a syndicate headed by the National City Bank of New York. A further provision in connection with this American loan suggests possibilities which will be watched with close interest. The Irish Loan is made convertible, in sums of not less than 1,000 dollars, into the American Loan, and *vice versa*; so that it has become possible for large amounts of the Irish Loan to be bought up by American investors if the demand for the American Loan exceeds the supply at any time. There were of course other than technically financial reasons for this issue of a loan in New York. Mr. Blythe alluded to some of them when he spoke of 'political and psychological advantages,' and said 'we feel sure that there are distinct advantages in making our appearance successfully in the international money market.' The fact that the two Loans are made convertible, he pointed out, 'means that this stock is anchored firmly to the dollar, and as firmly anchored as it is possible for any stock to be to gold.' As a gilt-edged investment, therefore, it could not be better secured; and its yield, allowing for a premium of 3 per cent. when it is due for redemption between 1950 and 1960, worked out at £5 3s. 8d. per cent. By offering such a safe and remunerative stock to the American market Mr. Blythe counted upon improving the credit of the Free State with a view to the issue of the remaining

loan of 8 millions later on. But there was a further reason as well for this appeal to America—where the Irish American population is believed to include somewhere between 30 and 40 million people. Many rich Irish Americans are still ready to subscribe freely for Irish causes; and the Free State Loan not only could count upon a sympathetic reception but should serve as a definite means for the satisfaction of Irish American generosity, which in the past has expressed itself—sometimes with disconcerting effects—in contributions to political party funds.

There was never any real doubt as to the success of the Loan from the time that Mr. Blythe announced its issue on December 3rd. But very few people can have expected the dramatic success which met the flotation of the American Loan. The lists were opened on the morning of December 5th in New York, and within two hours the whole amount of £3,000,000 was oversubscribed. In Ireland, there had been no possibility of such a result, because the Government was doing all in its power to encourage small investors in the country districts and small towns. Many large subscriptions were soon announced, from the Church of Ireland, the banks and the principal industries, from the municipalities and the county councils, the hospitals and other public institutions. Not the least encouraging sign was in Cork, where one of the Republican deputies, Mr. Seán French, persuaded the municipality to invest double the amount which had been suggested. But it was the small subscribers who responded most remarkably; and within ten days—considerably before the time limit had expired—the required amount of £4,000,000 had been oversubscribed by more than £500,000.

By this successful flotation of the Second National Loan, the definite indebtedness of the Free State has been increased by 7 millions. But the total debt is

still less than one year's normal revenue from taxation; and a comparison with the indebtedness of the other Dominions shows the extraordinarily strong position of the Free State. Such comparisons are naturally subject to all sorts of reserves. Ireland, unlike the other Dominions, is not a new country with vast tracts of virgin soil and great natural resources of many kinds. An old country, with a melancholy history which still exercises a depressing effect in many practical ways upon the distribution of her population, the decay of her industries and the practice of her agriculture, she has not the resilience and the confidence which count for so much in the development of the other Dominions. Even with a small population of under three million people, the Free State is suffering acutely from unemployment; and even the Shannon scheme, and the industrial developments which it will produce, cannot be expected to provide new employment rapidly on a great scale. But the proximity of the English market, the fertility of the Irish soil and the natural industry of an agricultural people who have become owners of their own farms, give to the Free State advantages which none of the other Dominions can ever enjoy; while the prospect of an unlimited supply of electrical power through the introduction of the Shannon scheme creates possibilities of a development such as had never been imagined in the past. With these natural resources and advantages still unexploited and at the outset of their development, the Free State still has less than 25 million pounds of public debt; while the debt of each of the other Dominions is enormously greater. Canada has a public debt of 550 millions; Australia, of over 400 millions; South Africa and even New Zealand each have debts of over 200 millions; though these figures can scarcely be compared, because they cover various

assets such as State railways and other public investments.

Prior to the flotation of the new Loan the indebtedness of the Free State was explained by Mr. Blythe in his last Budget speech. His 1927 Budget made provision for new borrowing to the extent of nearly $3\frac{1}{2}$ millions. But the total indebtedness of the Free State was still surprisingly small. The price of the National Loan issued in 1923 had risen still further than during the previous year and had remained at a high figure during the whole twelve months; so that difficulty had even been found in buying stock for redemption under the sinking fund provisions of the Loan. By the end of March 1927 there was in fact a sum of nearly £120,000 uninvested for this reason, to the credit of the sinking fund. Leaving out liabilities assumed under the London Agreement of December 1926 (which had abolished the undefined liabilities of Article 5 of the Treaty in consideration of an annual payment by the Free State of £250,000 for 59 years)—Mr. Blythe presented the following statement of the Irish National Debt at the end of March:

National Loan	£9,150,200
Compensation Stock	1,181,200
Savings Certificates	2,368,000
Irish Free State Bills	2,500,000
Ways and Means Advances	1,079,000
Telephone Capital Allowances	576,000
Total	£16,854,400

But even this surprisingly small total was more than the real weight of debt that had to be faced. Certain assets, Mr. Blythe justly insisted, should be set against it. He now believed that the Treasury could rely upon full repayment of the £1,285,000 which had been advanced from the Exchequer to the Unemployment Fund. The Shannon scheme gave every prospect

of paying its way, and the £1,312,000 that had been advanced to it should also be recoverable. These, combined with other smaller advances, brought the recoverable advances up to about 4½ millions; so that the net capital liabilities owing by the State—apart from the relatively small additional liabilities assumed under the London Agreement of 1926, in concellation of Article 5 of the Treaty—amounted roughly to 12½ million pounds of debt in all; or roughly about one-half of the Free State's annual revenue.

Unless unforeseen contingencies arise, the financial credit of the Free State should therefore be extremely strong. Not only have order and security been secured; the Republicans have ceased to be a menace to the Constitution since they found it necessary to become a constitutional Opposition if they were not to lose all serious support in the country. With the removal of that menace, the inflated estimates for the Army and for the preservation of order can be quickly reduced. Almost every item in the enormous bill for compensation claims has been paid in full. And, with compensation claims and inflated Army estimates still making demands upon the Exchequer, Mr. Blythe had reached a position in which his Budget required borrowing less than 3½ millions—including capital expenditure—with revenue already balancing normal expenditure at about 24 millions a year. Under the new conditions—especially if Mr. Blythe's daring reduction of the income tax to below the English level succeeds in its purpose of stimulating enterprise and attracting new capital from outside—all need for further borrowing should disappear, and the Free State should be able to face the future with a much smaller weight of debt in proportion to its resources than any of the other Dominions. On a basis of lower taxation, and with the vast resources of electrical

power which have been created by the Shannon scheme, the country should offer immense possibilities for rapid development, with the insatiable markets of Great Britain so close at hand.

Only a few additional charges remain to be shouldered; and Mr. Blythe took full account of them. The annuity of £250,000 payable to Great Britain under the Agreement of December 1925 will become operative in 1928-29; and debt charges, resulting from the unavoidable margin of new borrowing this year, will automatically increase. But the capital debt itself is being automatically reduced every year through the operation of its large sinking fund provisions; and in another way which demands notice in this chapter, the Government has found a means of increasing its own income.

It was a combination of motives—to exploit financial possibilities and also to assert the national independence of the Free State—that decided the Government in January 1926 to introduce legislation to sanction the issue of a distinctive Irish coinage. Mr. Blythe showed himself anxious, as he has always been, to avoid any sort of action that might cause apprehension in regard to Irish credit; and even though the primary object of the Coinage Bill was to enable the State to carry out a very profitable transaction, he devoted a great part of his speech, in introducing the Coinage Bill, to reassuring those who might regard this as the first step towards cutting loose from the anchorage of the pound sterling. He stated frankly his belief that 'any change in the currency position,' so far as legal tender was concerned, 'would lead immediately to an Exchange position adverse to the Free State.' But the Bill was intended only to authorise the creation of an Irish token coinage, to replace the silver and copper coins issued by the British Mint and circulated in Ireland

at a large profit to the British Exchequer. Even so, Mr. Blythe preferred to be in the position of saying that the new Irish coinage would contain a larger proportion of silver and copper respectively than the English coins which they replaced. His statement, and this assurance particularly, were in fact so reassuring that two of the principal spokesmen of the Southern Unionists in the Senate—who would naturally have been most prejudiced against any tampering with the familiar British coinage—not only approved the Government's policy, but suggested that the transaction should be made still more profitable by using no silver or precious metal at all in the coins which were not regarded as legal tender.

Mr. Blythe stated the reason for the change with his customary clearness and businesslike precision. He considered that it was the natural and logical consequence of the setting up of the Free State that they should have a coinage distinctively their own, bearing the devices of the country. There was a certain advantage in having control even of token coinage, in the matter of maintaining a proper supply of coinage and a supply of the right denomination of coinage. There would also be very substantial monetary advantages. It was estimated that the face value of the amount of token coins required for the country would be about one million pounds. There had lately been in circulation, or in the possession of the banks, a great deal more than was necessary. During the boom years a great deal of silver came into the country because prices were high and a great deal more money circulated. A large proportion of this had now gone out of circulation, and some of the banks had considerable stores of silver coinage in their vaults which they were recently getting rid of. Assuming that a million pounds of token coins would be required, the profit on that would be very considerable.

He proposed to issue a coinage containing a higher percentage of silver than the existing British coinage, which had since 1920 been reduced in value from 920 to 500 parts of silver in every 1,000 parts. Various countries had recently issued silver coin in the proportion of 75 per cent. silver and 25 per cent. alloy, and this standard would be adopted in the Free State. This would give a much better-looking and a much better-wearing coin than the existing one. The threepenny piece was believed to be an inconvenient and unpopular coin, and it was to be replaced by a somewhat larger nickel coin. The sixpenny piece would also be larger than the present size and made of pure nickel. With those proportions of silver and alloy for the silver coins ; with the sixpenny and threepenny pieces of pure nickel ; and with other coins of bronze ; there would be a profit of £624,000, at the present price of metal and allowing for cost of mintage, though not for cost of freight or insurance in transit. The profit would accrue only in one year and there would be no recurring profit. It was proposed to have the coins manufactured at the Royal Mint in London, which would save any outlay on establishing a separate mint and would ensure their supply much more quickly. The scope of the Bill was confined entirely to token coinage, which would be of only limited legal tender. Silver coins were to be legal tender up to 40s., bronze coins for payment up to one shilling, and nickel coins up to five shillings.

It was not until a year later, in the closing months of the fourth Dáil, that the Government decided to venture still further, in tampering with the sacrosanct privileges of the Irish banks themselves, claiming that they should make some contribution to the State in return for the right conferred upon them of issuing bank-notes for general circulation. Even that very restricted measure of interference was not uncalled for.

The Government had been faced with an anomalous situation in which no legal tender existed in the country, owing to the transition from the old regime to the new, and the Banking Commission was appointed in 1926 to consider and report upon this, and other facts. The setting up of the Free State, Mr. Blythe pointed out in introducing the Government's Currency Bill in April 1927, had made it necessary to adjust the position to the new circumstances. The Government felt it necessary to proceed cautiously, and had consulted the bankers and other interests concerned. The Commission's report had been practically unanimous. 'The Bill when it became an Act,' Mr. Blythe explained, 'would give them legal tender which would be backed by British security, pound for pound, and which would not lead to the creation of a visible rate of exchange with Great Britain, and the difficulties that follow from exchange variations. In addition, it would give a profit which would be of importance to our Exchequer.' The profit, as compared with the revenue at present derived from the issue of bank-notes, was estimated as something between £250,000 and £300,000. The revenue hitherto derived from the issue of bank-notes came from a tax of seven shillings per £100 on all bank-notes issued. Under the new arrangement they would receive a profit of about £240,000 on legal tender notes. The Bill also provided for the issue of a consolidated bank-note issue, on which there would be a tax of thirty shillings per £100, which would bring in about £90,000 a year. The total yield, therefore, from both sources would be about £330,000, from which working costs must be deducted. But the annual revenue from this one source would more than cover the annuity of £250,000 payable to the Imperial Exchequer under the London Agreement of 1925.

Mr. Blythe pointed out that a distinct change

would be made in the character of the note issue. There had hitherto been two sorts of notes: a fiduciary issue secured on the assets of each bank; and secured notes which had to be backed originally by gold or silver, but since the War by British Treasury notes or certificates. The fiduciary issue was fixed in 1845 and had not been changed since. The secured notes could be issued to any amount, provided the banks held backing for them. The new arrangement would be different. For the legal notes, British securities would be held by the Currency Commission, and anyone could secure, through the London agency of the Currency Commission, British money for legal tender notes offered. No limit would be fixed to the amount of legal tender notes which might be issued. If the banks or others gave British currency to the Currency Commission, they could receive British notes in exchange up to any amount, and the amount which the Commission received would be invested in British securities and would come to the Exchequer after deduction of the Commission's expenses.

'The separate issue of bank-notes by the various banks will come to an end,' said Mr. Blythe. 'There will be issued a consolidated note issue, the amount of which in the initial period will be £6,000,000. That £6,000,000 will be apportioned to the various banks in the method set out in the Bill and in the report of the Banking Commission. That £6,000,000 may, in practice, prove to be more or less than the requirements of the country, but at the end of two years it will be possible for the Currency Commission, by a unanimous vote and with the consent of the Minister for Finance, to alter the maximum limit of the issue and redistribute the bank-note issue amongst the various banks. At the end of three years more it will again be possible, by a unanimous vote of the

Commission and with the consent of the Minister for Finance, to alter the maximum limit and redistribute if necessary, the issue amongst the various banks. Thereafter, every three years it will be possible for the Commission, by a majority vote and with the consent of the Minister for Finance, to fix the limit and redistribute the issue. The amount of the issue will depend for the future on the requirements of the country. It will be based on the sound liquid advances of the various banks. It will not, of course, be equal to the sound liquid advances, but it will expand and contract according to the credit requirements of the country.'

No proposal, such as existed in other countries, would be made that the banks must hold certain proportions of cash or other specified assets against their bank-note issue. But there would always be a rigid maximum limit, which would be altered from time to time as the requirements of the country indicated. During each three-year period, and always in respect to the entire issue and the amount which each separate bank might issue, there would be a rigid maximum limit. Arrangements in regard to bank-notes in Ireland and in England had worked out differently. In England the bank-note issue had sunk to be a matter of very little importance. In Ireland, the importance of the note issues had remained, and he believed it must remain for a very long time. Under the existing conditions there was not likely to be the same use of the cheque-book and the overdraft as in Great Britain ; and the requirements of the country, which in England were met by overdrafts and cheque-books, must be met by the bank-note issue in the Free State.

The Banking Commission had not recommended the creation of a central bank, as in other countries. The need for it was not so great as elsewhere, and there

were not exactly the same facilities for successfully setting it up. It was proposed instead to alter the character of the note issue. Mr. Blythe believed that this arrangement would provide a more scientific and satisfactory way for the country's requirements, and that it would have a psychological effect on the banks, making them recognise their duty to the whole community, besides their own shareholders and depositors. While repudiating most of the attacks upon the Irish banks, he thought it might be justly said that there had not been a recognition on their part that they were national institutions with a duty to the whole community.

The Bill also made provisions with regard to gold coinage, but it was not anticipated that they would be put into operation for a good many years. They were inserted so that fresh legislation would not be necessary if and when gold came into circulation again. It was proposed further that a note reserve fund, equal to one-tenth of the consolidated note issue, should be built up. It was not likely that the need for that fund would be seen but it might assist in giving confidence, and it was one of the recommendations of the Commission's report. The reserve fund would be built up by taking one-fifth of the profits of the investments of the legal tender note fund, until the sum of one-tenth of the consolidated note issue had been reached. In dealing with the composition of the Currency Commission, Mr. Blythe anticipated criticism from different angles. It was necessary that the banks should be fully and strongly represented on the Currency Commission. The general community must also be represented and he believed this could best be secured by Government nomination. Redistribution of the note issue might involve acute conflict between individual banks; and for this reason the majority of the Commission must consist of people

not connected with the banks. Three persons would be nominated by the Minister for Finance, one of whom would always be an official of the Department of Finance. The other two would be people of good repute and standing engaged in trade or business in the country. The chairman would be chosen by the ordinary members of the Commission, would hold office for five years, and be re-eligible at the end of that time.

CHAPTER XXIII

EXTERNAL TRADE

Exports and imports surprisingly large—Adverse Trade balance—Invisible imports and exports—Exports and imports compared—The principal exports—Import trade analysed—Trade with various countries—Great Britain the only large market—Growing imports from other countries—Comparison of trade per head with other countries—Seeking new markets—Difficulties of direct continental trade—Mr. de Valera's programme of isolation—Mr. Hogan's criticisms—Agriculture requires large imports—Denmark the Free State's chief competitor.

CONSIDERING the smallness of her population, the absence of industrial towns, and the poverty of her peasantry, the external trade of Ireland has for many years been most surprisingly high. The exclusion of East Ulster has made all the more remarkable the very great dependence of the Free State upon its trade with other countries. Agriculture, more even than the highly organised industries of Northern Ireland, has for long been the principal factor in the import as well as in the export trade of the country; and in the Free State the volume of imports and exports, notwithstanding the establishment of Customs barriers, remains very high indeed for an agricultural country. The explanation is not immediately apparent, and it reveals a singularly unhealthy economic condition persisting even after the great improvement in the status of the tenant farmers throughout the country. The small farmers are by no means a self-supporting community even in regard to food; and

for many years they have been obliged to make their living by producing cattle and pigs and butter of the highest quality which they themselves cannot afford to consume but which they have to export to the richer markets of Great Britain; while they themselves buy inferior qualities of meat or bacon or butter, or even margarine, which are imported into Ireland from other countries. For years this has been the characteristic of Irish trade with other countries; the Irish farmers producing some of the best produce in the world, but obliged to send it out of the country in return for the cheapest qualities of imports of every kind.

Many fluctuations in recent years have made it impossible to regard the returns of any one year as normal. Low prices, depression and anarchy at home, or high prices but restricted shipping facilities during the war, have disorganised all the ordinary standards of comparison. But the report for 1926, as the last year for which figures are yet available, may be taken as a fair indication of the present character of the Irish import and export trade, even though the figures were very much affected by the prolonged coal strike in Great Britain during the year. A few main facts stand out at once, in the figures for the year. The total of imports, valued at almost 60 million pounds, was much greater than the exports, of 40 millions.[1] This adverse balance of about 20 millions in the year's trade has remained at about the same figure for the past three years, and is accounted for in various ways. The tourist traffic brings a great deal of money into the country which does not appear in the trade returns. There are still very considerable receipts from America sent home to assist their families by young men and women who have emigrated. A great deal of Irish capital is invested in British Government funds or

[1] The total trade figures for the following year, 1927, were: imports £60,826,000, and exports £44,852,000.

British enterprises, from which dividends are paid into Ireland. There are various large annual payments, such as the army pensions paid to ex-soldiers and their dependents by the British Government. And it is impossible, under conditions which are still so unsettled owing to the disturbances of recent years, to arrive at even an approximate estimate of the real adverse balance of trade, after allowing for 'invisible exports.' That imports will continue to exceed exports in the statistical returns for a good many years, because of these various causes, is beyond doubt.

The composition of the Irish import and export trade reveals several outstanding features. The export trade consists almost entirely of various forms of food or drink. Out of 40 millions of exports in 1926, 22 millions are accounted for by the export of live animals or meat. Of the remaining 18 millions, 7 are accounted for by butter, milk, cream and eggs; and 5 more by the export of beer and porter. Of the remaining 6 millions, 2 are made up by various other forms of food and drink, and less than $3\frac{1}{2}$ millions altogether were made up of all the different categories of goods included in 'Other Raw Materials and Manufactured Goods.' In short, out of 40 millions of exports sent out of the Free State within the year, some 31 consist of articles of food, and 5 millions of drink. In any normally developed country it would be reasonable to assume that these exports from an agricultural community represented their surplus production which would be sold in other countries in exchange for manufactured goods.

But the import trade figures tell a quite different story. Of the 59 millions of goods imported into Ireland, 26 millions consist of articles of food or drink or tobacco, and little more than half of the import trade consists of raw materials and manu-

factured goods. And of the 33 millions spent on such imports, at least half is spent on raw materials. So that the people in the Free State spend very nearly as much money on imported food as they receive from the sale of their own superior qualities of food to other countries.

So far as exports are concerned, the total figures are very easily analysed. Much the largest single item is the export of cattle, which in 1926 amounted to over 12 millions out of 17½ millions under the category of live animals. Horses to the value of nearly £2,200,000 were exported; sheep and lambs made up £1,250,000 more, and live pigs £1,700,000 (which was an immense increase on the total for the previous year). For bacon, on the other hand, the figures showed a decrease, with an export of roughly £2,750,000, but there was an export of nearly £1,000,000 of pork. Dead poultry accounted for some £650,000 more, and eggs £2,800,000, while the exports of butter totalled £3,850,000. The various kinds of fish exported amounted to about £600,000, of which nearly half was salmon and trout, and about one-third was for herrings. The only other large categories of exports under the heading 'Food and Drink' were porter and beer, totalling nearly £5,000,000; cream (a growing export), £320,000; biscuits, £560,000; oats and oaten products, £220,000; barley, £170,000; and spirits (a surprisingly small total in view of the fame of Irish whisky, and showing a heavy decrease each year), £180,000. Among the last category, comprising all 'other Raw Materials and Manufactured Goods,' only a few items demand attention. Wool exports totalled £660,000 and woollen goods, £250,000; linen goods, £160,000; jute goods, £120,000; timber, £100,000; motor cars and parts, £360,000; underclothing, £100,000; cattle hides, £230,000, and sheep skins, £150,000. These figures

show how closely dependent almost all the Irish industries are upon agriculture; since the export of motor cars and parts (chiefly derived from the Ford factory in Cork), is the only purely industrial item in all this list.

The import trade is much more mixed, and only the principal items can be mentioned. There is a fairly considerable import of live animals, amounting to 1½ millions, of which £1,300,000 is for horses imported into the Free State (as against £2,200,000 for horses exported). But the import trade as a whole consists of three main groups: foodstuffs, drink and tobacco; raw materials; and manufactured goods. The import of inferior bacon and hams amounted to £2,220,000 (as against the export of £2,750,000 of Irish bacon). But much the largest import of any one commodity was wheat and flour, amounting to £6,700,000; in addition to nearly £3,000,000 of maize and its products. Next in importance in this group comes tea, at £2,500,000; then sugar, at £1,600,000, while coffee and cocoa amount to about £400,000. Hops amounted to nearly £500,000; wines and spirits to £550,000 and tobacco nearly £600,000. Among the 'other raw materials and manufactured goods,' coal was much the most important, at over £3,400,000. Iron and steel manufactures were £2,100,000; machinery, £1,700,000; motor cars and parts amounted to over £1,200,000 (as against an export of £360,000); timber and furniture were £1,400,000. Cotton goods were £1,900,000; linen goods, £200,000; woollen and worsted goods, about £1,900,000; other textile goods, £700,000; clothing of various kinds was about £1,800,000; and the same amount for boots and shoes; hosiery, £900,000, and 'other apparel' £1,100,000. Paper and cardboard came to £1,000,000; petrol and lubricating oils, £1,350,000; soaps, £350,000; fertilisers, £600,000; oils, seeds and fats, £600,000;

chemicals, paints and medicines, about £1,000,000; and books and newspapers, about £600,000.

Without entering into details, the general character of the import trade in 1926 may be broadly summarised as follows: In a total of some 59 millions spent on imported goods the two principal items were wheat and flour, and clothes and footwear, each accounting for about 6 millions. Next came two other main groups, each representing about 4½ millions: textiles; and iron, steel, machinery and implements. Next, imports of various sorts of meat amount to about 4 millions. Coal comes next with 3½ millions; then maize and its products, 2¾ millions. Then follow three different imports, each totalling about 2½ millions: tea; feeding stuffs for animals; and a combined total for leather goods, tyres, petrol and oils. Motor cars and other vehicles come next at about 2 millions; then three imports, each totalling about 1½ millions: sugar, drinks and tobacco; and paper, books and newspapers. Finally about 1 million was spent on each of the following groups: building materials; chemicals, paints and medicines; timber; and fresh and dried fruits. The many other various imports do not require attention.

The essential facts may be simplified still further by merely mentioning the principal categories of imports. Out of a total of 59 millions, about 10½ were spent on imported clothes, textiles and footwear; about 12 on iron and steel, machinery, petrol, tyres, vehicles, building materials and chemicals; about 3½ on coal; and much the largest group total, 22 millions, on wheat, flour, maize, tea, meat, sugar, feeding stuffs, drinks and tobacco and fruits.

Before discussing the possibility of reducing this large total of imports—as the Republicans particularly desire—it is necessary to deal briefly with the chief sources of the imports and the destination of the Irish

exports. Great Britain still remains by far the largest source of Irish supplies, and not only buys by far the greater part of Irish exported goods but is almost the only market in which any considerable quantity of Irish produce is sold. This dependence upon one market has always been resented by Irish nationalist economists, for obvious reasons ; and unless a wholly new sense of real unity of interests between Great Britain and Ireland develops, the policy of the Irish Government must be expected to aim at a wider distribution of Irish trade. The propinquity of the two countries, and their close political association, should naturally tend towards complete freedom of trade between them, each country regarding the other as an extension of its own resources and markets. But historical factors have prevented the growth of any such feeling, and have produced a very definite desire in Ireland for diminishing, rather than strengthening, the commercial as well as the political connection between them. So, when the Free State was established, steps were taken at once to appoint Irish trade representatives in a number of countries, and every encouragement was given to the development of direct trade between Ireland and the Continent and the American countries. It soon became apparent, however, that there was very little practical possibility in such schemes ; and before long France and other countries, whose currencies had depreciated heavily after the war, began to appear rather as sources of unfair competition with Irish industries than as markets for Irish produce. In the past few years, the work of the Empire Marketing Board, on which the Free State is represented, and from which it has already received very valuable assistance, has produced far more promising results than all the activities of the Ministry for External Affairs ; and the monthly trade returns of the Free State show that Great Britain is still not only

the largest customer for Irish produce, but also the most promising field for the extension of Irish trade.

Only the complete figures for the full year give any reliable indication of the volume and trend of trade; since the monthly figures fluctuate so widely owing to seasonal factors which govern demand or supply. And although 1926 was an abnormal year, owing to the coal strike in Great Britain, the report published by the Ministry of Commerce dealing with that year must be taken as the basis for consideration. The report gave a detailed summary of the extent and the direction of Irish trade during the previous three years; and Mr. Hooper, the Director of the Statistical Department, added to his very illuminating survey some extremely useful comparisons with the trade of the Free State's principal competitor in the English markets.

One feature of the Irish Free State's trade must be specially emphasised. The trade per head of the population is extremely high in the Free State, but is by no means the highest figure even for small countries. New Zealand had by far the highest proportion of trade to population among the many countries for which Mr. Hooper quotes returns for 1926. Exports and imports combined worked out at £67 per head of the population of New Zealand. Canada comes next with a trade of £52 per head; then Australia, £48; then the Netherlands, £47; Denmark, £46; Switzerland, £44; Great Britain, £39; Belgium, £38; and the Irish Free State, £34, with Norway next, £31, followed by Sweden and France. Only in the small backward countries (apart from Germany and Italy) do the trade figures reveal a condition of self-supporting economics. And the countries with very large external trade in relation to their population are nearly all either Dominions of the British Common-

wealth, like the Free State itself, or else small countries based chiefly upon agriculture.

The export trade of Ireland has for many years been almost exclusively directed towards the English markets; and although the returns for 1925 and 1926 show a very definite tendency to develop trade with other countries also, Great Britain and Northern Ireland buy far more from the Free State than all the other countries together. The returns (which must be regarded with many reservations owing to the abnormal trade conditions of recent years) show that the Free State exports in the previous three years had been as follows: Great Britain and Northern Ireland bought Free State exports in 1924 to the value of £49,310,000; in 1925, £42,160,000; and 1926, £39,810,000; while the exports to all other countries in the same years totalled only £970,000; £1,220,000; and £1,370,000. These figures show that the total export trade with other countries, although it is still relatively small, has increased steadily, while the trade with Great Britain has declined. But the tendency to buy from other countries instead of looking always to English producers or English middlemen is still more noticeable. This tendency is also much more likely to develop, for Irish traders had in the past been in the habit of turning to Great Britain as the sole source of supply and have needlessly paid a middleman's profit to English dealers in many commodities, instead of buying direct from the American or continental producers who had not previously established direct relations with the Irish market. This weakness in the Irish commercial system has long been well known, and has been deplored by all business experts, without any consideration for politics. In the past the Irish trade has come quite excessively into the hands of English dealers, who charged their commission on whatever they forwarded to Ireland.

In so far as this practice is being eliminated, the Irish consumer, at any rate the Irish trader, stands to gain at once ; and the saving thus effected, by dealing directly with the countries from which produce is sent, should be very considerable. The trade returns for the past three years show that this tendency is developing very rapidly, even though Great Britain and Northern Ireland still remain by far the largest source of the Free State's supplies from other countries. In the three years the proportion of imports from other countries rose steadily, while the proportion coming from Great Britain and Northern Ireland decreased. In 1924, Great Britain and Northern Ireland sent into the Free State goods valued at £55,900,000. In 1925, the figures fell to £51,050,000, and in 1926 to £46,350,000. But the imports from other countries, which had totalled only £13,000,000 in 1924, and fell to £11,900,000 in 1925, rose again to nearly £15,000,000 in 1926. The increase may have been due to the general strike and the coal strike in Great Britain ; but the tendency to increase is very clearly evident.

But while the efforts to seek new markets for Irish produce, and to establish direct relations with the countries from which imports are derived, has thus begun to yield results, there are only a very few countries with which the Free State has as yet built up any considerable direct trade. The predominance of Great Britain in Ireland's trade relations remains completely unrivalled, and the trade with Northern Ireland is much larger than with any other country than Great Britain. And of the countries with which direct trade is growing to any considerable extent, most are members of the British Empire. The figures (including re-exports) show this clearly. So far as exports and re-exports go, Great Britain and Northern Ireland absorb almost all that the Free

State sends outside. In 1926 only four other countries bought any substantial amount of Irish goods. Great Britain bought to the value of £35,000,000, and Northern Ireland, £5,700,000, out of a total of 42 millions. The U.S.A. bought less than £310,000; Germany, about £225,000; Belgium, £145,000; France, £75,000; British India, £80,000; and the Straits Settlements, £85,000. None of the other totals are large enough to be worth mentioning. But the import trade is much more widely distributed, though in 1926 (the year of the coal strike) Great Britain was the country from which nearly 40 millions out of a total of 61 millions from all countries were imported. Northern Ireland sent goods to the value of nearly £6,500,000 more; and the U.S.A., which came third on the list, sent less than £5,000,000. Germany came next (partly owing to the developments in connection with the Shannon scheme) with £2,300,000. Then Argentina, with £1,650,000; then Canada, £1,220,000, and Belgium, £1,040,000, and Holland, £900,000. The only other country which imported directly to the value of even £500,000 was France.

Broadly speaking, therefore, the trade returns show that the Free State is in a condition very similar to that of Canada, Australia, New Zealand, Denmark, Holland and Belgium, and other such countries which are chiefly concerned to sell their agricultural produce abroad in return for manufactured goods which they do not produce, and in exchange for the raw materials of agriculture. Like these other countries which have a similar economic organisation, the Free State conducts a very large trade in proportion to its size and population. Special conditions of geography and of history have in the past concentrated this Irish trade to an excessively large extent in the English markets; and a very strong effort has been made, with undoubted success, to build up direct trade between Ireland and

the countries from which she buys her imports. There are, however, obvious limitations to such a development; for the Free State's exports are overwhelmingly agricultural, and there is virtually no demand for them except in an industrial country. Hence it is difficult, and in most cases impossible, to arrange for direct shipping services such as were contemplated at first between Ireland and France and other countries. No such shipping service can pay its way unless it has cargoes to carry home as well as outwards; so that the direct trade between Ireland and the Continent usually has to be conducted by ships which call at various ports—carrying, say, French produce to Ireland, and from there to England with an Irish cargo, before returning with an English cargo to France. On the other hand the geographical position of Ireland makes it a natural stopping place for the Transatlantic liners, and several of the most important lines now call regularly at Cobh (formerly Queenstown). Mr. Cosgrave was among the first to give personal encouragement to these shipping facilities for direct access to the Continent by going to France direct from Cobh on a Transatlantic liner.

For generations, throughout the long period of the penal laws when English Governments prohibited education for the Catholic peasantry and gentry of Ireland, direct and constant contact was maintained between Ireland and many of the Continental countries. It is only in comparatively recent times that this regular intercourse with the Continent has been partly interrupted; but many Irish families are still intimately connected with famous trading firms in France, Spain, Portugal and other European countries. Of late there has been a definite revival of the old tradition, and the tendency to seek direct contact with Europe instead of deriving everything through English sources is likely to develop steadily. A much more

complete encouragement of that tendency, with a definitely anti-British bias, is of course one of the main features of the Republican Party's programme. The next few years should witness a most interesting struggle between the natural inclination of the Irish farmers to follow their own interests by concentrating upon the English markets, and the political prejudices of the extreme nationalists.

The question was raised in a definite form during the protracted dispute on unemployment which was almost the first occasion on which the Republicans took part in a discussion in the Dáil. Mr. de Valera found in the subject an opportunity to develop his own favourite doctrines of a self-supporting nation. He demanded a much more complete and rigorous system of protection designed deliberately to develop Irish industries by virtually making it impossible for foreign traders to sell their goods in the country. The sweeping change that such a policy must produce will be apparent to anyone who has studied the character of Ireland's present foreign trade. But Mr. de Valera, with his usual cold logic, was prepared to face almost the extinction of the existing external trade—with all the employment that it gives and the economic system that is built upon it. 'We believe that we can be self-supporting,' he said. 'There is no doubt about that so far as food is concerned.' He believed that clothing and houses could also be provided out of local resources, and declared: 'If we had food, clothing and shelter, and if in addition to that we developed the industry which is most suitable for us, so as to be able to get the necessary imports which it would buy for us in return—the raw materials that we require—I believe that you would not have a man, woman or child in this island willing to work without work to do.' And recalling a statement which he had made some years before,

Mr. de Valera asked the Dáil to contemplate the possibility of the island being cut off from the whole world. 'We would have to do without certain things that we would be glad to have,' he said, 'but we would not have to do without the real essentials.'

Such theoretical reasoning suggests a sort of Robinson Crusoe economics, which make a real appeal to a people who have few desires for material things, and among whom many lack even the necessaries of life in bad years. Mr. de Valera's simple programme of a return to primitive conditions undoubtedly commands a large following among those who in recent years have not enjoyed a standard of living that could even be called primitively civilised. But its practical application presents endless complications, even if it were an acceptable programme when the condition of the small farmers has recovered from the recent years of depression. The obvious answer to it under present conditions is that Mr. de Valera's programme of protection would cause an enormous and immediate rise of prices without any prospect of Irish industry expanding fast enough to supply the demand. Its most serious disadvantage would be that imports cannot be cut down ruthlessly without a corresponding fall in exports; and it is by the export of food to the English markets that the Irish farmers earn their living. To impose a high tariff on imports would not only increase prices in Ireland and so injure the farmers, but would undermine the whole system of farming upon which the country's principal industry is organised.

Mr. Hogan, as Minister for Agriculture, dealt with this aspect of Mr. de Valera's programme in his speech in the debate on unemployment in November. He asked Mr. de Valera to consider the effects of his proposal to prohibit the importation of feeding stuffs for animals; and his statement of the problem

in its practical bearings threw much light on the whole economic organisation which results in the present large external trade of the Free State. 'We are to prohibit the import of all animal feeding stuffs,' said Mr. Hogan. 'Very well. Would it occur to the amateur farmers who are talking, as an extraordinary fact, that generally speaking, far and away the greater proportion of imported feeding stuffs goes to districts where there is a high proportion of tillage as compared with pastures. Yet that is a fact. If you just take that fact and turn it over in your minds, I think you will find some doubts as to whether your economic panacea is just right. Very little imported feeding stuffs go to Meath or to any of the grazing districts of the country. Most of the imported feeding stuffs go to the districts where there is a high proportion of tillage. Just think of that fact first, and think of it in the light of your policy to prohibit feeding stuffs in order to encourage tillage and to give the employment that increased tillage affords.

'Take another fact which is also illuminating in the light of that particular policy which has been enunciated,' Mr. Hogan continued. 'In Denmark there is no grass; nevertheless the Danes import per farmer at least three times as much feeding stuffs as we do. There is no grazing in Denmark because the land will not remain in grass for two years running. It is not suitable for grazing. Every acre of land practically that is arable at all, every acre of agricultural land, in Denmark is tilled, and still the Danish farmer imports three times as much feeding stuffs as we do. Put these two facts together and try to square them with the doctrine that we should prohibit the importation of feeding stuffs; and then, when you will see you cannot square these two doctrines, enquire why. The answer is quite simple. No country can grow economically all the feeding stuffs it requires. It

might be done at the time when a beast was fattened at five, six or seven years old. I suppose that was a hundred years ago. It might be done if we fattened our pigs at two years, but it cannot be done now economically. You cannot produce the sort of foodstuffs that are wanted for modern requirements on the basis of producing them from food grown exclusively in the country, and we are not unique in that way. No other country can do it either. You must have a balanced ration. You must mix your rations, as every farmer knows.

'I suppose there are farmers on the Fianna Fáil benches who use imported feeding stuffs. If the import of cotton cake or palm nut cake were to be prohibited, what do they think? Do they think it would be sound for farming, or do they think it should be done? If we increase our tillage—and we can increase our tillage; there is room for increased tillage—we would want more imported foodstuffs. We do not grow proteins to any extent, and we do not grow sufficient carbohydrates. If we cannot grow them and refuse to import them, what can we do?

'Look at it from another point of view. Supposing you have the prohibition in force, who would be affected but the ordinary farmer who tills a fair proportion of his land at the moment and who gives a fair amount of employment as a result. Take a specific example. . . . Take a farmer who is, say, a solicitor, with 200 acres. He has thirty acres of tillage, sixty or seventy cattle, 100 ewes, pigs and fowl. I am taking a typical case. Thirty acres of tillage on that farm is a high enough percentage for this country. That farmer must for winter feeding, in addition to tilling thirty acres, buy about £400 worth of feeding stuffs. You might say, "Why not produce it in this country?" "Why not grow sixty acres?" Leave out this question as to whether you must have a balanced

ration, as to whether you can economically produce feeding stuffs, all the proteins, all the carbohydrates and all the oils that go to making up economical feeding. Leave out that question and assume for the sake of argument that we are able to do it and do it economically. Look at it from another angle—the point of view of the farmer who has 200 acres.

'He has at present thirty acres under tillage. He has to carry a lot of stock in the summer and in addition to that provide feeding for his stock in the winter. I am speaking of the average case. In spite of his tillage he has to buy £400 worth of feeding stuffs. You may say let him grow more. Assume that he can grow more and then what do you find? To grow the additional feeding required he has to till not thirty acres more, but fifty acres more. That is eighty acres in all. Where does he get the tillage? He goes into his meadow for it. His first position was thirty acres of tillage and thirty acres of meadow—sixty acres in all. He has say 180 acres entirely. He has 120 acres left. He has perhaps twenty acres of waste land, therefore he has one hundred acres of grazing for his stock in summer time. From that hundred he has to till sixty more, in order to feed the same amount of stock in winter as he would feed with the original area of tillage and feeding stuffs he bought.'

What the Republican proposals meant in practice, declared Mr. Hogan, was a complete change from summer farming to winter farming in the Free State. No such revolution in Irish farming is, of coutse, likely to be brought about, and Mr. de Valera's panacea must be regarded as no more than a vague programme intended to capture the imaginations of the discontented voters. Mr. Hogan's speech indicates the fundamental conditions very clearly; and suggests that as farming improves in Ireland, and as the great grazing areas of the midlands are brought

back gradually to tillage, the import trade will increase while the export of Irish crops and Irish butter and eggs is being increased.

The future development of Irish trade can scarcely fail to follow the same lines as in Denmark, which is the chief competitor of the Free State in the English markets. Mr. Hooper's statistical report for 1926 contains an illuminating comparison of the Irish and the Danish trade, which reveals how far the Danish farmers had succeeded in gaining upon the Irish farmers in recent years. Comparing recent years with the average trade of 1911 to 1913, the exports from the Free State show a serious decline. The export of bacon and hams, of poultry, of horses, and of biscuits, were reduced to little more than half their pre-war volume in 1926, while the exports of sheep, wool, butter, and pigs were all reduced by 20 per cent. at least. The volume of cattle and of hides and skins exported was also below the pre-war figures. Only the export of eggs and of porter had increased since before the war. On the other hand the volume of exports from Denmark to Great Britain has grown steadily since 1921, and in 1926 it was nearly 40 per cent. greater than before the war; the increases in the export of eggs, butter and bacon being enormous.

It is by regaining the former position in the English market that the present Irish Government relies principally for the development of the Irish export trade; and the returns for 1927, so far as they are available, show that the Government's efforts—which are chiefly the work of Mr. Hogan—are producing real results. Nothing has done more to improve prospects and to increase the Irish exports already than the enforcement by the Government of standardised grading and better packing of Irish farm produce. Irish eggs, which had been so unsatisfactory, owing to bad packing, inferior quality and uncertain deliveries,

that many of the largest English buyers refused to take them, have quite recently recovered their reputation under a system of Government inspection which now guarantees their condition. And the supplies of Irish butter exported have been similarly improved and standardised. For the first time, therefore, Irish produce is entering the English market under conditions as soundly organised as those of any other country; and its undoubted superiority of quality is already gaining recognition. Not the least advantage which has assisted the Irish farmers in the recovery of the past few years is the inclusion of the Free State in the Empire Marketing Board, which has undertaken to advertise Irish as well as Colonial produce. The trade returns of the next few years may therefore be expected to show a steady increase of exports to Great Britain, while the Irish import trade will probably continue to develop on the lines of direct trading with the producing countries.

CHAPTER XXIV

EDUCATION

Amalgamation of various authorities—Co-ordination of whole problem—Previous confusion—Post-primary courses made compulsory—Old school programmes superseded—Teachers' Conference recommendations adopted—Training of teachers—Reform of secondary education—Capitation fees instead of grants for examination results—State aid for secondary teachers—Attitude of Catholic hierarchy—Technical education.

In no sphere has the new regime brought more immediate and more beneficent changes than in the matter of Education. When the new Government assumed control it made a clean sweep of all the previous machinery for the supervision of education throughout the country, and proceeded to introduce method and contructive policy in the handling of a problem which had for generations been deplorably neglected and mismanaged. The Provisional Government had no sooner been installed than, with a bold gesture, it dispensed with the services of two of the most influential representative bodies in Ireland, which in the past had been regarded as indispensable means for guaranteeing popular—and still more, ecclesiastical—control over all questions affecting the schools. The education system in Ireland had grown up under chaotic conditions, and a number of separate authorities had charge of various departments of it, with resulting confusion and overlapping and an entire absence of co-ordination or rational organisation.

When the Provisional Government faced its new

problems in the beginning of 1922, there were five separate and independent educational authorities. Primary Education was administered by the Commissioners of National Education; Secondary Education by the Commissioners of Intermediate Education; the Endowed Schools were under the Commissioners of Education in Ireland; the Reformatory and Industrial Schools were under a Department of their own; and Technical Education was administered, in a vague and tentative way, by the Department of Agriculture and Technical Instruction. The three first of these bodies were immediately abolished when the Provisional Government appointed its Minister for Education. The whole field of Primary and Secondary Education was thus brought at once under the direction of one Minister; and in 1924, after the passing of the Ministers and Secretaries Act, the Department of Education was formally constituted, with control of all the following services which had previously been administered by separate authorities: National Education; Intermediate Education; the Endowed Schools; the Reformatories and Industrial Schools; Technical Instruction; the College of Science; the National Museum of Science and Art; the National Library of Ireland; the Metropolitan School of Art; the Geological Survey.

Each of the three main branches of Education—Primary, Secondary and Technical—had hitherto been independent of one another; and had been organised at different times. None of them were State systems in the full sense, and though the State was concerned in each branch of Education, the extent of its participation varied greatly in each case. The Primary schools were not founded by the State, and the State did not appoint the teachers; but it had initiated the system, and from the establishment of the National Board in 1831, it had given large

subsidies to the cost of buildings and to the salaries of the teaching staff. The Secondary schools, on the other hand, were in nearly every case purely private institutions, many of which existed long before the creation of the Intermediate Education Board in 1878, which for years did no more than hold written examinations for their pupils and distribute money to the schools which succeeded in them. Not until 1900 did the State assume the duty of inspecting the schools in a purely advisory capacity.

The recent report of the new Ministry of Education sums up the situation clearly as follows: 'While the Primary system may be said to be a semi-State system in which powers and properties are divided more or less equally between the State and the managers, the Secondary system is largely a private one in which schools, built up and maintained by the teaching Orders and Diocesan organisations of the Catholic Church or by Protestant corporate bodies or by private individuals, retain their full autonomy in all matters of appointment and internal organisation.

'The State at present inspects these schools regularly and exercises a certain amount of supervision through its powers to make grants to schools as a result of these inspections, but it neither founds Secondary schools nor finances the building of them, nor appoints teachers or managers, nor exercises any power of veto over the appointment or dismissal of such teachers or the management of the schools. It is true that the Department of Education has within the past two years completely modernised both the educational and financial side of the Secondary system, and has, in addition, attempted to place Secondary staffs on a better professional and financial basis by providing a State system of salary increments for the individual teacher; but apart from these developments the State has assumed no responsibility

for the appointment of headmasters or teachers, and the Secondary system remains as hitherto one of purely private management.'

Quite different again was the position of Technical Education, which was only introduced in 1898 as part of the work of the Department of Agriculture and Technical Instruction that was established through the efforts of Sir Horace Plunkett. The new system was modelled on those of England and Scotland, so that the schools were generally controlled by the local bodies and financed by local rates as well as by grants from the Government.

In view of these wide differences, and of the complications involved in connection with ecclesiastical and religious control, no complete co-ordination of the three branches of Education was possible. But one of the first steps taken by the new Ministry was to co-ordinate the curriculum of the various systems, and to set up administrative machinery which could produce some sort of co-operation between each. This co-ordination was quickly brought about—to quote the report again—' by the adoption of the Primary and Secondary programmes evolved by the Commissions on Primary and Secondary Education, by the articulation of the courses in the top classes of the Primary Schools with those of the lower classes of Secondary Schools, and by the unification of the courses in the Training Colleges for Primary Teachers with those of the Secondary Schools, so that the two systems became to a large extent one educational whole. In addition to this articulation of the educational work of the Primary and Secondary systems, the Department of Education has created a central co-ordinating machinery by the reorganisation of the inspectorates of the Primary and Secondary branches, and the creation from the reorganised bodies and the inspectorate of the Technical Branch of a

standing Council of Chief Inspectors. The main work of this Council consists in the co-ordination of the inspectorial staffs of the three branches as far as the different nature of the work permits, the unification or correlation of their programmes and methods, the preparation of schemes for reforming any section of those branches that are defective or not consonant with one another, and, in general, the formulation of the best methods for correlating or carrying into effect as one whole the educational policy of the Department.'

A further development has been introduced by associating the professors of the University Colleges with the inspectors of the Department of Education in drawing up and making the examination paper for the Training Colleges; and by forming joint committees of this sort to control the examinations for the Leaving Certificate of the Secondary schools. The County Council Scholarships, which provide the chief nexus between the Secondary schools and the National University, are also awarded in connection with such results.

But such simple remedies cannot go far to overcome the principal obstacle in the passage from Primary schools upwards. Primary education is free, and the Secondary schools are not; and the Government has tried to provide for an extension of education beyond the Primary stage by adding a section to the School Attendance Act of 1926, empowering the Minister for Education to make attendance at post-primary courses compulsory up to the age of sixteen. When this section of the Act has become fully operative, a free compulsory education up to the age of sixteen will be in force. But the question of technical education still presents great difficulties. This branch of its work was not taken over by the new Ministry until 1924, and experience has shown so many difficulties and com-

plications that the Government has found it necessary to appoint a special Commission of Enquiry to consider the whole problem and make recommendations.

With some 5,600 Primary schools and more than 13,000 school teachers—of whom about half are women—the Government has set itself to try and organise a better system of education. The Provisional Government in 1922 made a new departure at once by superseding the old programme which had previously been drawn up by the Commissioners or their Inspectors. The new Government adopted instead the programme which had been put forward by a representative Conference of Educationalists which had been called together by the Primary Teachers' Organisation. Its main features were a concentration on a comparatively small number of essential subjects and an insistence on the Irish language and the history and geography of Ireland as essential parts of it. (In the past, the Commissioners had never dared to introduce such teaching of Irish history and other subjects for fear of being accused of nationalist bias.) The Provisional Government in adopting these new features revolutionised the whole system, but decided in 1926 to summon a further Conference of Educationalists to consider any other suggestions.

This new Conference was thoroughly representative. It included representatives of the Protestant as well as Catholic Managers of Schools, members of the Dáil and the Senate and of the General Council of County Councils, University Professors, and delegates from the National Teachers' Organisation and from the Department of Education itself. The Conference issued a unanimous report in 1926 which in general approved the new programme, but suggested that Rural Science should be added as an obligatory subject; that History and Geography should cease to be obligatory subjects in the third

Standard, and that History, Algebra, and Geometry should cease to be obligatory in the fourth Standard; that Algebra and Geometry should be made optional in all one-teacher schools and in all classes taught by women, and that Irish and English should be taught in Higher and Lower Courses, the Higher Course to be taken in whichever was the predominating language in the school. The list of compulsory subjects agreed upon was: Irish, English, Arithmetic, Algebra, Geometry, Geography, History, Rural Science, Music and Needlework (for girls).

Commenting upon the exclusion of several subjects which are obligatory in other countries, the Conference report explained the resources of the schools. 'We had special reasons for excluding from this list all subjects except those which were absolutely essential. In the first place, we had to take account of the difficulties entailed by our efforts to restore Irish as a vernacular—though, of course, we are confident that those temporary difficulties will be more than counterbalanced by the better mental development which a command of two languages confers upon young children. Secondly, there was a general feeling that the course had been too extensive hitherto; and, in other countries, concentration on an essential minimum of subjects is of recent years coming to be considered the preferable policy in Primary Education.

'When drawing up our list of obligatory subjects, we placed first and foremost before our minds the schools in which two teachers have to deal with children ranging from infants to those of fourteen years of age. We have, therefore, formed our programme primarily for schools of this type, some 71 per cent. of the total number. This plan seemed preferable to the National Programme plan of a single course which had to be modified in the various types of schools to suit their resources. For the reasons already men-

tioned—and owing also, in the case of a large proportion of schools, to the want of proper teaching power, or of material facilities, or of both together—we have set down Drawing, Domestic Science, Physical Training and Manual Instruction as optional subjects. We have reason to expect that Physical Training, the importance of which for national health we fully appreciate, will be generally taught in our larger schools where the teachers are competent to teach it and have the requisite facilities.

'All teachers who desire to take up Domestic Science or Manual Instruction are free to do so. The more suitable time, however, for these and other subjects of a quasi-professional character is the post-primary age at which children are better able to appreciate them. Some preliminary portions of these subjects might, perhaps, under more propitious circumstances, have been usefully prescribed as obligatory in our Primary curriculum, but they cannot be so prescribed at present; nor do we think that any great loss will be entailed by the postponement of these subjects—even of the elements of them—until the children have passed through the Sixth Standard.'

Among the chief difficulties dwelt upon by the Conference's report were the lack of adequate training for teachers in the past, the lack of funds for extending the school buildings or even keeping them in repair, and the problem of enforcing attendance. Legislation on this last matter was passed in 1926, and will probably be enforced with the same determination that the Government has shown in all other matters. Previously, the enforcement of attendance at the schools had been left to the School Attendance Committees, which in many places did not even exist. The Act of 1892 had, moreover, left many loopholes for evasion and did not provide sufficient penalties. Both these shortcomings have been provided against

in the new Act, which places upon every parent the obligation to send ' his children between the ages of six and fourteen to school unless there be a reasonable excuse for non-attendance, such as illness, or too great distance from the school, or the need to assist with light agricultural work on not more than ten days in the spring and ten days in the harvest season.' The Civic Guards are made responsible for enforcing the Act, in all places outside Dublin and its suburbs, and Cork, Limerick and Waterford, where the existing School Attendance Committees are made responsible through the agency of their own paid officials. Any parent who fails to send his child to school is to be warned, and after warning becomes liable to a fine. In certain cases the child may even be sent to an Industrial School or to the care of a ' relative or other fit person.'

To provide means for assisted education in the Secondary schools, the Government has authorised the County Councils to strike a rate up to a penny in the pound for scholarships in approved Secondary or Technical schools ; and these scholarships have been increasingly provided. In 1924 there were 1,029 candidates and 188 scholarships, and in 1925 the candidates increased to 1,155, while 250 scholarships were awarded by twenty-three counties or county boroughs. Practically all of the scholarships so far have been taken in Secondary, and not in Technical schools.

Not until 1926 was the New Ministry in a position to undertake the reform of Secondary education, which has now been drastically overhauled. The educational basis of the system has been revised ; the Secondary Schools programme has been completely altered ; and a new system of determining the amount of State subsidy payable to each school has been introduced. Under the old system each year

had its own stereotyped examination, held under the lamentably unimaginative programme of the old Intermediate Board. The new system divides the whole period of Secondary education into two main Junior and Senior courses ; the former covering three or four years and ending with the Intermediate Certificate Examination, usually taken at the age of sixteen. The Senior course usually occupies two years more. The Junior course is intended to provide a sound general education ; and the five subjects in which a pass is required to obtain the Intermediate Certificate are : Irish or English ; Mathematics ; a second language ; and either History and Geography or Science or Latin or Greek. In the Senior course a pupil is expected to specialise, and for his Senior Certificate he may pass in any five subjects, the only restriction being that one of them must be either Irish or English.

Instead of the old rigidly prescribed programmes with a few set text-books—(in English literature, for instance, under the old system, the whole year's course would often include only one long poem and one other book)—all set programmes have now been abolished. No prescribed text-books are set, and the schools have absolute freedom in their choice of books and in the range of their programmes ; which have only to be submitted for approval at the beginning of the school year, to provide for the inspection carried out later on by the officers of the Ministry of Education. This complete change from the old programme has naturally led to a revision of the system of making grants. Formerly the subsidies from the Intermediate Board were based on results obtained in the annual examinations, which led to widespread cramming and to an excessive concentration upon the successes of boys who had a natural aptitude for passing examinations. The system has been replaced by a new

plan, worked generally on a capitation basis, which enables any efficiently run school to count upon a regular income, instead of having the uncertainty of its own success in competitive examinations. The grants so given during 1924-25 totalled almost £150,000, which was over £51,000 more than the grants in the previous year under the old system. A special bonus grant, to encourage the use of Irish as a medium for general instruction, is given to schools which fulfil the required conditions. All the old money prizes and medals formerly awarded in competition have been entirely abolished; and instead the Government gives a number of annual scholarships of £40 a year, tenable for two years by boys who qualify with sufficient distinction in the Intermediate Certificate Examination. A further reform has been the introduction of a preliminary examination to qualify for entering any Secondary school. The Government does not insist upon the refusal of admittance to boys who fail to pass this test, but pays no capitation fee to the school for any boy who fails to pass it.

One of the most serious difficulties in Irish secondary education has been the virtual monopoly of Secondary schools by the religious orders, who can afford to reduce fees far below the level that would be required for salaried teachers. In recent years Secondary school teaching as a profession has become a much more hopeful career, for the thousands of young men and women who enter the Irish Universities with no prospect of finding employment that will justify the heavy expenditure upon their own education. The Irish Government has made a revolutionary departure in introducing State payment of Secondary school teachers—a measure which is virtually a challenge to the previous monopoly of the religious teaching Orders. Under the new system the Ministry

of Education actually requires Secondary schools to employ a number of registered teachers in proportion to the number of their pupils. Each such teacher is entitled to receive a salary of not less than £200 a year for men, and £180 for women (reductions of £50 and £60 respectively being permitted when board and lodging are provided). In addition to these minimum salaries, the teachers also receive increments from the State, on a scale graduated according to length of their service as approved teachers. This innovation is one of the most definite assertions so far of the claims of the laity to an influence at least as great as that of the clergy in education. There has been no open breach of any kind between the ecclesiastical authorities and the Government, and the hierarchy has wisely allowed the laity to insist upon a greater freedom in regard to the schools. But this State encouragement of lay teachers, even more than the immediate dismissal by the Provisional Government of the Education Boards on which the Churches were so powerfully represented, is a very notable instance of the new forces at work in the public life of the Free State. The Catholic hierarchy have shown an admirable sense of fair play, and have proved their natural shrewdness, in declining to meet such measures with an opposition which might very easily have provoked a definite movement of anti-clericalism.

Technical education remains the chief task before the Ministry; and the tentative efforts towards providing it under the old Department of Agriculture and Technical Instruction cannot be regarded as any very considerable contribution to the problem. In Dublin, Cork, Limerick and Waterford, courses in mechanical engineering, building, and commerce are fairly well attended, especially by apprentices to particular trades. In domestic economy the courses given outside Dublin have met with far more demand

than was anticipated; and the courses in commerce have been found extremely useful by many business firms which send their apprentices to take advantage of them. But the main problem is to develop much further the policy which has been introduced by the inclusion of what is called 'Rural Science' in the primary schools. The vast majority of the people of the Free State live on the land; and only a small proportion of them can hope to find employment in the small country towns, while the few big towns, and Dublin most of all, are still suffering severely from unemployment.

CHAPTER XXV

LOCAL GOVERNMENT AND THE POOR LAW

The transition period—Defying Sir Hamar Greenwood—Reforms attempted before the truce—The new Local Government Department—Abolition of Rural District Councils and Poor Law Guardians—Severity in collecting arrears of rates—Suspension of incompetent local councils—Reform in Dublin—Immediate retrenchments—Expenditure on improvements—Cleansing the city—Housing schemes—Other undertakings—Reorganisation in Cork—The new Poor Law—Home assistance to replace workhouses—County Boards of Health—Distribution of expenditure on relief—Housing subsidies—The State assists purchase of houses—Encouraging private enterprise—Rebuilding in Dublin—Supervision of elections—Heavy penalties for illegal practices.

It was as Minister for Local Government in the illegal administration created by Sinn Féin before the truce, that Mr. Cosgrave gained his first important experience of office. And it was as his understudy, with the rank of deputy Minister for Local Government—while both he and his chief were being hunted for by the police and the Black and Tans—that Kevin O'Higgins also first learned the arts of government. Together with the Sinn Féin courts, the extemporised Local Government administration was by far the most successful part of that daring and extremely difficult experiment. The reasons for its success were partly that the official machinery of the Local Government Board was unpopular and inefficient; and still more that the local authorities had special reasons for repudiating the British Government and for throwing

in their lot with Sinn Féin. In 1920 the great majority of the newly elected local authorities openly challenged the authority of the British Government by refusing to recognise the control of the Local Government Board, and by making declarations of allegiance to the Republican first Dáil. The reasons for this widespread defiance are frankly set out in the first full report of the Free State's Department of Local Government and Public Health, which reviews the course of events up to the end of 1925.

The financial position of County Councils, the report explains, 'had become somewhat perilous by the passing of the Criminal Injuries (Ireland) Act, 1919, which enabled applications to be made to the Courts for compensation for injuries to the person. This Act also made it mandatory on the Treasurer of the Local Authority to pay out of county funds the amounts of decrees so obtained. The Restoration of Order (Ireland) Act, of August, 1920, and the Criminal Injuries (Ireland) Act, 1920, of December in the same year, added to the difficulties of local bodies. Under the former Act power was obtained to make regulations securing the retention of sums payable to any local authority from the Local Taxation (Ireland) Account or from any Parliamentary Grant, and for their application to the payment of amounts awarded against the local authorities in respect of compensation for what the law of the time designated as 'criminal injuries.' The Criminal Injuries (Ireland) Act, 1920, extended the powers of the Act of 1919 in regard to the payment on demand of decrees obtained from the Courts for compensation for such 'criminal injuries' so as to include decrees for injuries to property; as it had been judicially decided by the Court that the Act of 1919 applied only to cases of injury to the person. Provision was made for the payment of decrees out of local taxation moneys or Parliamentary

Grants, and for the garnishee of rates due to a local authority in satisfaction of criminal injury awards.'

What had actually happened was that the local bodies found themselves faced with such immense demands upon the rates for compensation in respect of revolutionary outrages, that their entire resources would have been exhausted in that way. The British Government was attempting to prevent outrages by holding the local bodies responsible for paying compensation. But the bill for compensation had reached such dimensions in many cases that the local bodies became reckless, having nothing to lose. Sinn Féin saw the possibilities of the situation and, as the report states in restrospect, 'under steady pressure the discretion of local administration passed gradually from the hands of the Chief Secretary for Ireland of the British administration.' Where local bodies were found to be reluctant to throw in their lot with the Sinn Féin agitation, outrages were accordingly multiplied until the local bodies had no reason left for wavering. They had nothing to lose by repudiating the Local Government Board, which was deducting local compensation claims from its payments out of the central funds. They had much to lose by resisting the 'steady pressure' which was being deliberately applied in order to paralyse the British administration.

Having produced this situation, Sinn Féin prepared an ingenious plan which before long was working with remarkable success. The local authorities were advised as to how they could transfer their existing funds to safe keeping; and having done so, they were to threaten the banks with the withdrawal of their future accounts unless the banks came into line. On this basis the local authorities generally repudiated all control by the British administration in Dublin, and set to work to give life to a newly constituted Local Government Department of Sinn Féin, which

was in the hands of Mr. Cosgrave and Kevin O'Higgins at the time. They forfeited for the time being all claim upon the sums which might have been obtained from Dublin to finance housing, road construction and public health improvements; but the sacrifice was more than counterbalanced in many cases by their escape from the claims to compensation for criminal injuries. In the year before the truce the new regime thus began to take shape in a dim way, and Mr. Cosgrave's extemporised Department for the first time undertook an attempt to supersede the obsolete and unsatisfactory old system of Poor Relief.

When the Sinn Féin Local Government Department became a legitimate authority under the Provisional Government after the Treaty was signed, it took over the duties formerly entrusted to the Local Government Board for Ireland; the Inspections of Lunatic Asylums; the Inspections of Reformatory and Industrial Schools; and the Registrar-General's Department. It also took over responsibilities for roads, bridges and ferries. Under the Ministers and Secretaries Act of 1924 there was a slight re-organisation, and the Reformatories were transferred to the new Ministry of Education, while the Local Government Department assumed control of matters concerning elections. In 1925 a special Act was passed to reorganise local government as a whole, which was notable chiefly for its abolition of the old Rural District Councils which had been created by the Act of 1898. All local responsibilities in regard to road maintenance and sanitary matters were transferred to the County Councils, to eliminate the previous difficulties and waste resulting from dual control. Other sweeping changes have also been introduced into the system of local government by subsequent legislation. The general tendency has been to introduce centralisation, with results scarcely less revolutionary than the

change in 1898 when the Old Grand Jury system was superseded by popularly elected local councils.

The new regime has made a clean sweep not only of the Rural District Councils but of the Poor Law Guardians, and the work formerly administered by them has been handed over to the County Councils, whose responsibilities and powers have been very considerably increased. Another change carries still further the alterations made by the Act of 1898. Whereas it relieved the poorer divisions by placing the burden of Poor Relief upon the Unions, now the basis of relief has been further extended, and the poor rate is levied on the county as a whole. This same policy of broadening the basis of local charges has been applied in the case of road maintenance and sanitary arrangements, for which the county councils, instead of smaller districts, have been made responsible. The general operation of these changes is described in the report, which explains that 'all Public Health expenditure which was heretofore a district charge now becomes a health district charge, which in the majority of counties will be a county charge, excluding urban areas. In the case of road maintenance the cost of main or trunk roads will be a uniform charge over the entire county, and in the case of county roads there will be a flat maintenance rate over the entire rural area of the county.'

But while these sweeping changes have been introduced—and only a national Parliament could have achieved the abolition of so many popularly elected bodies without provoking fierce resentment—the organisation of Local Government is only in its first stages. Two main problems had to be faced. Dublin and the urban areas which surround it contain a population which is about one-fifth of the whole people of the Free State; and this concentration of people in and around a city which has for long suffered from

unemployment, overcrowding and deplorable housing conditions—which were complicated still further by the destruction of buildings in the past ten years—creates problems that require urgent and special attention. To cope with it the Local Government Department set up a Committee in 1926 called the Greater Dublin Commission of Enquiry to make recommendations as to the whole problem. In the rest of the country many other problems have had to be faced, which in the light of many years' experience cannot be solved within a short period. The relief of distress is directly dependent upon the fortunes of agriculture in most years; and in the whole of Connacht and half of Munster it is caused rather by a permanent condition of overcrowding on infertile small farms than by any fluctuations of employment such as can be provided against by insurance schemes in industrial countries. The abnormally high proportion of old people adds a further difficulty. To consider the whole problem, the Commission on the Relief of the Destitute Sick and Poor was set up and has only recently reported. In regard to housing, one of the first acts of the new Government was to set aside a sum of £1,000,000 for urban housing schemes. The problem had been at once complicated and simplified, in different ways, by the destruction of so many buildings and streets in Dublin, Cork and other towns during the prolonged years of political unrest which culminated in the civil war. The local bodies quickly took advantage of these new facilities; but many difficulties have arisen, through shortage of labour, the attitude of the building trade unions, and the high cost of building materials.

One of the first difficulties of the new administration was to collect not only the rates which were due in the current year but also the very heavy arrears of rates which were outstanding. In the transition period,

when two rival governments were contending to assert their authority over the local bodies, many ratepayers took advantage of the prevailing chaos to refuse payment of rates. The banks, which had been generally dismissed from their regular position as treasurers to the local bodies, came to the rescue while a resolute attempt to collect the arrears of rates was being made; and the Government's determination soon produced results—at the cost of incurring intense unpopularity among those whom it had to coerce. At the end of March 1923, the arrears of rates outstanding totalled nearly £1,750,000; and less than £200,000 of the total had been reduced by the spring of 1924. But by the end of March 1925, in spite of very severe depression among the farmers, which made payment of arrears extremely difficult, the total had been reduced below £950,000; and the reduction has continued steadily since. In 1924 the prevailing depression of agriculture—accentuated, and made apparently hopeless for some time to come, by the destruction of roads and transport—convinced the Government of the necessity to provide some measure of relief. Power was given to the County Councils to make an abatement up to two-thirds of the rates on agricultural land, and to borrow the amount so abated by loans which were to be repaid over seven years. It was hoped that this temporary relief of current rates would facilitate the Government's efforts to collect the heavy arrears due in the previous years of anarchy. But complications due to the provision of this relief measure restricted the collection of rates; and though nearly half the total of arrears was collected by the spring of 1925, the collection had to take place within six months instead of twelve. The Government showed its determination by bringing continuous pressure to bear on the rate collectors; and many of them were dismissed for being dilatory

in their work. In two counties—Kerry and Sligo—the method of collection by rate collectors was even entirely suspended, and for the time being the Post Office was made responsible for collecting the rates.

In this problem of collecting the arrears of rates, the new Government adopted so firm an attitude that it soon decided to carry drastic action still further, regardless of the unpopularity which it must incur. As early as March 1923 a law was passed giving power to the Minister for Local Government to order a local enquiry into the performance of its duties by the local authority, and to dissolve the authority forthwith if he were satisfied, after such enquiry, that the local authority was negligent or incompetent in its administration. Within a few months the County Councils of Kerry and Leitrim had been dissolved under these provisions, and three minor bodies, including the Dublin Board of Guardians; their duties being transferred to officials of the Local Government Department. Throughout 1924 this process was continued, and no incompetent local body could any longer regard its position as secure. The Roscommon Town Commissioners were dissolved in February; the New Ross Urban District Council in March; and in May the Government amazed the country by its uncompromising courage in dissolving the Dublin Corporation itself. Half a dozen other bodies were dissolved soon afterwards, as the result of official enquiries held locally, including the County Council of Offaly (Queen's County). In October the Cork Corporation also was abolished, and there have been several other drastic dissolutions of the same kind since. In each case the work of the dissolved elected body was entrusted to one or more Commissioners. Dublin was handed over to a body of three young men; in Cork one was found sufficient.

The Act of 1925, which confirmed the Minister for

Local Government in these powers, modified them slightly by providing that these Commissioners should hold office only for three years, after which the local body was to be re-elected and reinstated. A further sweeping reform was directed against the notorious corruption of many of these local bodies in former years. It was provided in the Act of 1925 that no member of a local authority, or ex-member within twelve months of his retirement, should be eligible for any office of profit or employment for remuneration by the authority; and those who knowingly act as members of local authorities when they are disqualified from membership have been made liable to prosecution.

Few changes which have been made by the Free State Government have had a more immediately beneficent result, or have required so much courage in defying popular traditions and local vested interests, as this wholesale suppression of local authorities which had for long been notoriously corrupt. The report of the Local Government Department contains a summary of the first year's work of the Commissioners appointed to supersede the old Dublin Corporation, which had been reputed to be the worst administered body in the country for many years. The chief results of this corruption and neglect were appallingly high rates, due to reckless waste of money in superfluous appointments which were given to the relatives or supporters of ward politicians; the disgracefully neglected and dirty condition of the city itself; failure to provide for future developments and to maintain the public services in proper repair; and, above all, the shameful perpetuation of vast slum districts which were largely owned by those who got themselves elected to the old Corporation for their own profit. The results of the Corporation's dissolution were made apparent even within the first

year, when the three young Commissioners had still to become familiar with their new duties. Their report upon the first ten months of their work is a vivid picture of the changes that have been introduced, and of the new spirit that is operating through the Free State.

Within ten months of being in office the Dublin Commissioners had found it possible to reduce the rates from the appallingly high figure of 19s. 2d. to 17s. 3d. in the pound.[1] One of the chief sources of retrenchment was found in the scale of wages which had been paid by the old Dublin Corporation. To avoid unpopularity, the Corporation had kept wages still at the full war-wage level; and the Commissioners at once applied the sliding scale based on the cost of living to all such wages, with an immediate saving of a very substantial sum every week. Fuel consumption was reduced by the elimination of waste and of corrupt practices; and similar economies were made in the supply of stationery and other requirements. Sick pay granted to employees had been one of the means used by the old Corporation to gain support at the municipal elections, and abuses of this system were drastically suppressed. The personnel of various departments were found to be excessively large, and the establishment was severely cut down by the Commissioners; while various vacancies caused by superannuation were not filled. Besides these rapid retrenchments of expenditure, the Commissioners discovered new means of producing revenue. New leases were granted on more favourable terms to the city; a large income was quickly derived from the decision to let rooms in the Mansion House for public functions, and its yard and stables were let for a considerable figure to the Irish Automobile Club as a

[1] The latest figures, early in March 1928, announce that the rates in Dublin have been further reduced to 14s. 8d. in the £.

garage. The Clontarf Town Hall, which had been a source of heavy expense for many years, was sold outright for conversion into a church.

In an amazingly short time these young administrators produced changes which not only brought relief to the overburdened ratepayers, but improved the whole appearance of the capital. The Dublin streets had been proverbially dirty for generations; and in recent years, with the destruction of buildings and the intimidation of secret societies whose agents disfigured the walls with political slogans, conditions had grown worse than ever. The Government had offered grants for the reconstruction of trunk roads, and for the immediate relief of unemployment; but the old Corporation had lost time in haggling with the Government in the hope of securing more favourable terms. The Commissioners applied for these grants at once; and obtained £75,000, with which most of the principal streets of Dublin were immediately repaired—wood-block surfaces or asphalte replacing the noisy old stone pavings or waterbound macadam. Part of the grant was spent also in widening the bridge and the main roadway which connect Dublin with its principal suburb on the north side, at Clontarf. Two other grants—one of £35,000 for road development and housing construction in various parts of the city, and the other of £45,000, to relieve unemployment—were obtained by the Commissioners. The latter grant was expended entirely on wages, while the costs of material for the various important works which were undertaken was borne by the ratepayers. A beginning was made at last with the schemes which had been long discussed for an extension of the main drainage system. Various other roads were renewed or repaved, and there were signs of activity everywhere which gave relief to the unemployed and brought a new spirit of encouragement.

All this increased activity would under old conditions have only added to the opportunities for corrupt practices; but the Commissioners discontinued the old system of employing labour directly and had almost all its work done by contractors, who already possessed the expensive machinery and the organisation to cope with it. But it was in the cleansing of the Dublin streets that the new administrators made the most strikingly apparent change. The old street scavenging service was found to be quite inefficient and out of touch with modern developments. All sorts of varieties of machinery and vehicles were employed, with no attempt at co-ordination. A partial reorganisation of the system was quickly carried out which brought economies without extra cost; but the Commissioners decided that the quickest plan to meet the urgent requirements of the city was to lease the work of street cleaning and refuse disposal on contract, as is done in Paris and some of the London boroughs; and the work was entrusted to a French firm, after tenders had been considered from various sources.

In addition to these drastic reforms within the first ten months of holding office, the Commissioners made bold efforts to cope with the desperate condition of housing in the city. For years there had been a vast population of very poor people huddled together in tenement rooms, into which the formerly magnificent houses of the aristocracy of the eighteenth century had been converted. Whole streets of beautiful old Georgian houses had fallen into a state of fearful decay, with families living in every room of mansions that still contained oak panelling and costly ceilings, although the staircases had all but fallen to pieces. Years of neglect and overcrowding had accelerated their decay; and many houses of all sorts in the city were condemned as unfit for habitation, but had to remain

inhabited for lack of any alternative accommodation. The old Dublin Corporation had already undertaken several schemes with the aid of a grant made by the Provisional Government, and the Commissioners hastened their completion. At the same time they acquired an area of some 90 acres at Croydon Park and organised a new housing scheme there; while a second and larger area was acquired at Drumcondra. The conversion of a large number of houses leased from the Commissioners of Works provided immediate relief to a very considerable number of those who had been forced to live in houses that were condemned as insanitary or unsafe. Grants were made to subsidise building by private persons and by Public Utility Societies.

The vigilance of the new Commissioners extended to every sphere of the old Corporation's activities. Vested interests were overruled; clamours from different sections of the people were disregarded. The municipal workshops, which had incurred a heavy deficit for years, were partly closed down. New by-laws were passed to compel the provision of adequate fire escapes from factories; children of school-going age were prohibited from street trading. Important improvements were introduced in connection with the water works. The arterial water main from the reservoirs to Dublin was cleaned, by a special torpedo scraper, for the first time in fifty years; and the result was an immediate increase in the amount of water delivered. Steps were taken, with the aid of the unemployment subsidies, to remove the sediment which had been deposited through many years in the Grand Canal, until difficulty had arisen in keeping an adequate supply of water in the canal. The Dublin markets were overhauled and re-roofed where necessary; and the Commissioners secured for the city a monopolistic control of all market rights in the Potato

Market, with an immediate increase in the revenue from renting market stalls. Technical education was developed and new scholarships were provided. There can be few parallels for the extraordinary zeal and successful activity displayed by these young men, who did so much within less than a year to reorganise on modern lines the entire administration of the capital of the Free State, which had been for so long neglected and mismanaged. And what they achieved in Dublin was imitated with similar fervour and courage in Cork and in the counties whose elected councils had been superseded. The example of this band of young reformers set a new standard of civic responsibility and achievement; and the fear of suppression compelled all the local bodies everywhere to overhaul and improve their own administration.

In Cork the reorganisation of municipal affairs was carried out by one young civil servant, Mr. Monahan, who had been entrusted by the Government with its first attempt to supersede an incompetent elected body, in taking over the work of the Kerry County Council. His administration had been marked by the same combination, as in Dublin, of severe retrenchment and expenditure on necessary improvements. By 1927 rates had been reduced from the peak figure of nearly 25s. to 19s. in the £ (a figure which is less than it appears since there has been no revaluation of property in Cork for 75 years past). Mr. Monahan found plenty of scope for immediate retrenchment. Various sinecure offices, carrying large salaries, have been abolished, and other salaried positions were amalgamated. He found that the labourers employed by the old Cork Corporation were being paid 8s. 6d. a week more than the general wage paid to other similar workers in the city; and after negotiations it was agreed to reduce their wages by 4s. 6d. a week. In a city containing only 70,000 people Mr. Monahan

has been able to save by such reductions in wages and salaries about £6,000 a year. His most remarkable decision was to utilise the £68,000 which had been awarded in compensation for the burning of the City Hall by the Black and Tans, for a housing scheme, postponing indefinitely the erection of a new City Hall which was not really needed. Already 150 houses have been built with the money so provided, and a second housing scheme has been prepared, which will be financed by a municipal loan of £100,000 which is to be issued very soon. A large loan has also been secured by the Local Government Department to reconstruct an old sewage tunnel; and many improvements have already been carried out which have changed the whole appearance of the city. Most of the principal streets have been remade, with asphalt surfaces which are kept scrupulously clean, at a cost of only about one quarter of what was formerly spent with miserable results on street-cleaning. All the quays have also been relaid on a concrete foundation. No plant for filtering the city's water supply had ever been installed before, and Mr. Monahan has introduced in Cork the most modern filtration plant now in use in the Free State. The water supply system has also been overhauled, with such effective elimination of waste that the daily consumption of water has been reduced from fifty to less than thirty gallons per head of the population.

In addition to this drastic overhauling of the local administration under direction from the new Government, the whole system of poor relief has already been modernised and vastly improved. The improvement began when Mr. Cosgrave was Minister of Local Government under the first Dáil; and it has been greatly developed since. The need for a complete reform of the old system had long been recognised. Until 1921 the Irish system was still modelled on the

English plan, which even in England had become obsolete and which was never remotely suited to the problems of an agricultural country. 'Poor persons of practically all classes,' to quote the Department's retrospective survey of the question, 'were relieved in Workhouses. Provision was no doubt made for outdoor relief or assistance to the poor in their homes, but as the conditions prescribed were exacting, the relief thus afforded was comparatively small.

'The associations connected with Workhouse relief were seldom desirable. The Poor Laws were introduced when the country was passing through the great famine, and the Workhouse became associated in the minds of the people with the hardships and sufferings of that period. The feelings of objection to the Workhouse arising from historic reasons remained long after the causes which produced them had passed. The Workhouse was the sole refuge of vagrants, and of the physical wreckage of the population, and being largely availed of by these classes came to be regarded with abhorrence by the respectable poor, amongst whom relief in a Workhouse carried with it an enduring stigma.

'When the Workhouses were first introduced the population of the country was almost twice what it is at present; and the numbers requiring assistance out of the rates were more than proportionately large. Owing to the shrinkage of the population and other factors, the numbers chargeable on the poor rates were considerably reduced, and in time the Workhouse accommodation greatly exceeded the needs. There was a large number of these buildings in the country, capable of accommodating twice or three times the number relieved in them, and the cost of the administration was out of all proportion to the value of the relief afforded.'

The system in fact was notoriously extravagant, inefficient and demoralising. An entirely different

system was generally demanded among all those who had engaged in poor relief work; and so, when a reform was undertaken by a number of county councils under Mr. Cosgrave's direction, while Sir Hamar Greenwood's administration was still trying to assert the authority of the old regime, its first object was to reorganise poor relief on a plan which would give more value for the expenditure involved, and which would avoid inflicting humiliation upon those who really needed assistance. The first change which was found necessary was to enlarge the areas within which relief was administered, so that different classes of poor people could be grouped in sufficient numbers to make the administration of poor relief more economical. Schemes were devised in agreement with Mr. Cosgrave's department which involved the following large reforms: (*a*) the abolition of the existing system under which the poor were relieved in Workhouses established in each Poor Law Union; (*b*) the centralisation of the administration under one authority in each county; (*c*) the establishment in each county of central institutions in which the poor of the county could be relieved; (*d*) enabling all poor persons requiring relief to be relieved either in or out of the central institution as might be thought advisable. Modifications of this scheme, which was already operative by 1923, were introduced into the Local Government Act of that year. A County Board of Health was then set up in each of the principal counties, consisting normally of a chairman and nine other members elected by the County Councils from among their own membership. Each County Board of Health was entrusted with the administration of poor relief in its own county, and was empowered to appoint committees to assist it in its work, on which any suitable person might be invited to serve. The counties and county boroughs within the same

county (*e.g.*, Cork, Waterford and Limerick) were entitled, if they saw fit, to unite for administrative purposes ; and this power has since been used.

A complete transformation of the old system has been brought about by the general adoption of home assistance instead of giving assistance chiefly in Workhouses. The new principle has been carried so far that the rule now is that no poor person may be relieved in an institution unless it is cheaper to provide relief that way. The change has not only eliminated the former waste on half-empty Workhouses. It has removed the old stigma that attached to poor relief, even in the most necessitous cases ; and has brought inestimable improvement in enabling destitute old people to remain with their relatives while they are obtaining assistance, instead of being forced to go into Workhouses. No complete and permanent reorganisation of the system of poor relief has been attempted until the Dáil has had an opportunity of considering the report of the Commission appointed to enquire into the system, which has only quite recently issued its report. But this substitution of home assistance for the old Workhouse system has made the fundamental change that had been vainly demanded by all sorts of reformers and charitable workers for many years. The amount spent on poor relief has increased very considerably since 1914, but such an increase was inevitable in view of the higher cost of living in every country since the war. There is very little doubt that the amalgamation of Poor Law Unions and the placing of local administration of the poor law on a county basis has brought about large economies in expense ; so that the poor receive a much larger proportion than formerly of the total amount that is spent.

A comparison of the returns for 1924-25 with those of 1913-14 shows how great a change had taken

place. In 1913-14 roughly two-thirds of those who received relief were either in workhouses or hospitals or county homes; but in 1923-25 more than half received relief in their own homes; and of the remainder probably the majority were in hospitals or required special attention in some institution. There was a large reduction also in the number of children boarded out, now that relief is given as far as possible to the parents of the children, rather than finding someone else to care for them if the parents are destitute. On the other hand the grants for children boarded out were greatly increased; and more than three times the pre-war amount was spent on outdoor relief and home assistance; while the amount given under the Medical Charities and Dispensary Acts had nearly doubled. Considering how severe has been the economic depression of the country, the increased expenditure on poor relief is by no means surprising; and the total of nearly £1,700,000 spent in this way during 1924-25 should decrease rapidly as soon as conditions have improved.

Housing has been also a principal concern of the Local Government Department, and although progress has been disappointingly slow, owing to many complicated difficulties, the new Government has already done much. General Mulcahy, the Minister for Local Government in the present Ministry, explained in the debate on unemployment in October 1927 that a large proportion of the money advanced by the Government at various times for housing schemes still remains unexpended. The usual difficulties have prevented progress; and the regulations and the attitude of the building trade unions have retarded progress in the Free State as elsewhere. The Provisional Government took the matter in hand at once, by offering an immediate grant to local authorities for housing schemes on special conditions. A

circular letter issued in March 1922 from the Minister for Local Government set forth the Government's proposal as follows :

'In each case where a special Housing rate of at least 1s. in the £ is struck for the purpose of new construction, and arrangements are made (subject to the sanction of the Minister) to obtain from local banks or other sources a short-period loan equal to three times the produce of the aforesaid rate, the Government will be prepared to make a grant in the proportion of 2 to 1 to the total amount raised locally by Housing rate and loan. Provision for meeting the loan-charges must be made in addition to the special Housing rate of 1s., and such charges will not rank for the Government subsidy.

'For example, if a Municipal Authority, the assessable valuation of whose district is £15,000 :

raises by a 1s. rate - - - -	£750
and borrows locally - - - -	2,250
making the total contribution - -	£3,000
then the Government will contribute £3,000 × 2, *i.e.* - - - - -	6,000
making available - - - - -	£9,000

which is sufficient to provide 12 new houses at £750 each as the result of one year's operations.

'The Minister understands that the great majority of the Municipal Authorities furnished particulars of their housing needs and proposals in the Autumn of 1919, on special Forms of Survey issued by the Local Government Board of the British Government, and that in every case where sites were selected by the Authorities for the purposes of such schemes they have been inspected and approved, or alternative sites suggested. In this respect, therefore, there seems nothing to hinder steps being taken forthwith to obtain possession of sites with a view to building.'

The Provisional Government was prepared to advance up to £1,000,000 on these conditions, and relied upon the municipal authorities to raise £125,000 from the rates, and a further £375,000 by short term loans; so that a total of £1,500,000 was to be made available almost immediately for building new houses. Most of the local authorities set to work at once on building schemes under this plan, and a considerable number of houses were built. The Government also undertook a new scheme, which applied to the problem of houses, in certain places, the principle which had been universally adopted in regard to land purchase. The State undertook to buy houses, as it had formerly bought Irish land, on a contract with the tenants to repay the amount on an instalment system such as has become very familiar in Great Britain through the Building Societies. By weekly payments the tenants agreed to pay not only rent but a gradual contribution towards redemption of the capital cost, spread over a maximum period of forty years. The Local Government Department agreed to play the part of a Building Society—requiring the tenant to pay part of the purchase price at the outset, and advancing the remainder on a mortgage which is extinguished by degrees every week until the tenant has become the owner of his house. A very large number of houses have been bought in this way under the facilities afforded by the scheme, and its further extension seems to contain great possibilities.

In 1924 further provisions were made by the Housing (Building Facilities) Act, with the object of reviving private enterprise in building. A State bonus of between £50 and £100 for each house was offered to encourage private builders in constructing small houses; and a bonus of two-thirds of the same amount was offered for the reconstruction of existing houses of similar size. A grant was also given to

encourage the conversion of suitable houses into flats, within the town boundaries. The Act also gave power to local authorities to supplement these State grants by making further grants or loans or offering free sites or cheap sites, and also to remit part of the ordinary rates on such new houses for a period of nineteen years. Restrictions were at the same time placed on the sale and on the rents of houses which had been built with the aid of such subsidies. Architects' fees and other expenses were saved by the State providing model plans for houses and other useful information, which was made available in official pamphlets and publications; and these were widely used. But it was in the country districts that housing made most progress, with the assistance of such subsidies and encouragement. The Department pays a special tribute of gratitude to the clergy and to the school teachers and to 'many voluntary helpers' for their successful co-operation in making the Government's plan widely known.

In the towns, where sites are more difficult to obtain and where prices are higher, progress was less satisfactory; but the Government's bold programme met with a widespread response, and activity such as has not been known for years became evident everywhere. In Dublin, where so much destruction had taken place since the rising of 1916, an opportunity for wide schemes of reconstruction had arisen; and in 1924 the Dublin Reconstruction Act gave large powers to erect new buildings and improve the streets in reconstructing what had been destroyed. Compulsory powers were given for the acquisition of land and sites, and to sell by public auction within two years all interests which had not otherwise been disposed of in connection with property that had been injured. This latter provision, designed to prevent the holding up of reconstruction in hopes of receiving better

terms, was advanced in 1925 to a time limit of three months—which showed how thoroughly in earnest the Commissioners then were who had assumed control in place of the dissolved Dublin Corporation. The result of all this concentration upon the housing problem was summarised in a vivid sentence by Kevin O'Higgins in replying to a vote of no confidence moved by the Labour Party, when he said that in Dublin City and its suburbs more houses were built between 1922 and 1927 than in the thirty years between 1890 and 1921.

Through its supervision of work in reconstructing the roads—which is described in another chapter—in addition to its housing schemes, the Local Government Department did a great deal to mitigate the severe unemployment in the early years of the Free State. It had been growing ominously through 1921, in the Free State no less than in Great Britain, where the general slump in trade after the boom years of the war set in, and it had reached alarming dimensions in 1922 when the Provisional Government had to assume control. A sum of £275,000 was voted to finance schemes of public utility, and a further £100,000 was set aside by the Dáil for emergency measures, necessitated especially in the west, where the potato crop had failed in some districts, and where the fishing industry had suddenly collapsed owing to the fall in prices after the war. Road work had fallen into serious arrears, owing to the withholding of grants from the old Local Government Board when the county councils repudiated all connection with it. In 1924 the continued depression of agriculture, owing to bad harvests, necessitated further measures of relief of unemployment during the financial year 1924-25. In almost every case the money was spent on road works, or on harbour or waterworks repairs and sewerage schemes. In the winter of 1924-25

distress in the west was further accentuated by the almost complete rotting of the turf stacks during months of prolonged rains; and grants had to be made for the supply of fuel and of hot meals for the school children. The Local Government report notes with satisfaction that whereas similarly acute distress occurred in precisely the same areas, for the same reasons, in the memorably bad season of 1879, relief had to be organised then entirely on a voluntary basis while the British Government lent no assistance. But in the similar distress of 1924-25, the new Government was able to provide all the relief required without any voluntary aid.

One other aspect of the thorough-going reforms carried out by the new Department may be quoted. The Local Government Department is now responsible for all arrangements in connection with elections. The Electoral Abuses Act of 1923 provides most drastic penalties for what are defined as corrupt (in distinction from illegal) practices. The provisions of this Act are summarised in the report of the Department as follows: 'The offences of bribery, personation, treating, undue influence, aiding, abetting, counselling or procuring the commission of personation, or knowingly publishing before or during a Dáil or Seanad election a false statement of the withdrawal of a candidate at such election, are defined as *corrupt* practices. A person who commits a corrupt practice, other than personation (or aiding or abetting personation), is liable on summary conviction to imprisonment for a term not exceeding one year. In cases of personation the penalties are, for a first offence, imprisonment for a period of not less than two months and not more than twelve months and a fine not exceeding £100; for a second or subsequent offence, imprisonment for not less than six months and not more than twelve months or penal servitude for three

years, and in either case a fine not exceeding £200. Where an election court reports that a corrupt practice has been proved to have been committed by or with the knowledge of and consent of a candidate, that candidate is for ever incapable of being a member of the Oireachtas.'

Illegal practices, on the other hand, consist in the offences of excessive employment and expenditure, voting by prohibited or disqualified persons, the making of false statements of fact in relation to the personal character or conduct of a candidate, disorderly conduct at lawful political meetings, and the use or hiring as committee rooms of licensed premises or refreshment rooms. For these offences the penalties are less severe, but they may be punished by fines up to £100. And the Local Government Department has enforced these rules with the same grimly conscientious determination as it has shown in facing so many other problems—with results which have robbed political elections of much of their former excitement but have succeeded in enforcing a general respect for law such as Ireland never knew in the past.

CHAPTER XXVI

ROADS, RAILWAYS AND THE POST OFFICE

New competition between traffic and railways—Great disadvantages of Irish railways—Railways empowered to undertake motor transport—Amalgamation of railway companies—Heavy decline in passengers and goods traffic—Road Fund increasing steadily—Large proportion of new trunk roads—Wholesale destruction of roads and bridges, 1920-23—Complete reconstruction carried out—Former extravagance of Irish Post Office—Applying English conditions to Ireland—Efforts to reduce the deficit—Mr. P. S. O'Hegarty—Drastic reduction of facilities—Losses on telegrams, parcels, newspapers and circulars—Postal business earns a profit—Growth of Post Office Savings Bank—Savings Certificates.

In Ireland, more even than in other countries, the railways have suffered severely from the growing competition of motor traffic on the roads. Any railway map of Ireland will reveal the inevitable disadvantages under which the Irish railways must expect to suffer. The whole midland plain is virtually depopulated and given over to grazing; the towns are almost without exception situated around the coast. In the whole west of Ireland, Limerick, near the mouth of the Shannon, is the only town of real importance; and the only other three considerable towns along the western coast, Galway, Sligo and Tralee, are surrounded by mountainous districts where no great industrial development can be expected, and where the population consists almost entirely of farmers cultivating very small farms. It is only in

three directions: along the line that connects Dublin with the other towns of the east coast, from Waterford to Wexford in the south up to the great industrial concentration in the excluded counties of the north-east; and on the other two main lines which connect Dublin with Cork in the south, and with Limerick in the south-west, that any considerable volume of traffic can be expected.

So long as the railways offered the only possible means of rapid conveyance and of distributing heavy consignments of goods, their position was reasonably prosperous. But at all times the railway service was inadequate, and its shortcomings could not be avoided. In many counties, the number of railway stations were only a small proportion of the number of villages scattered over a wide agricultural area; and the consignment of goods by rail, or the journeys of passengers, involved difficult and tedious and costly connections between the actual point of departure and the nearest railway station. It was obvious that the appearance of motor transport, capable of carrying passengers or goods direct from point to point without any necessity for changes from one form of conveyance to another, must be incomparably more convenient and less expensive. This natural superiority of motor transport has been evident in all countries, even in so highly organised a country as England, with railway stations available everywhere and an immense number of trains every day.

But in Ireland the introduction of motor transport meant a change scarcely less revolutionary than the introduction of railways. Journeys or transport which formerly were impossible of completion within less than two days by railway have become comfortably manageable within a day by road. The distances to be traversed are seldom beyond what can be covered in a day; for Dublin is not further from

Waterford than London is from Southampton, and from Cork is much less than from London to Exeter. Even the extreme north coast of Donegal is no further from Dublin than Manchester is from London. The total amount of traffic available from all sources in the past was barely sufficient to provide the railway companies with a revenue that would cover all their expenses. Even a small diminution in the volume of traffic was sure to produce difficulties for the railways in paying their way. But much more than a slight decrease in receipts has taken place. The railway companies are threatened, and already actually confronted, with a competition which is steadily diverting a very large part of their traffic, both in passengers and in goods, from the railways to the roads.

In every country the new competition of road transport has made the position of the railways insecure. In Ireland, owing to the absence of towns and the lack of industrial development, the old security of the railway companies has become thoroughly undermined. Only one remedy could be effective; and in Ireland, as elsewhere, the railway companies have made urgent demands for relief in the obvious way. If the restrictions upon their activities, which were imposed upon them when they had a virtual monopoly of transport, were removed, and they could obtain permission to organise motor transport themselves on the roads in competition with their new rivals, they were willing to reconsider their whole position and, if necessary, make motor transport as large a factor in their working as transport by rail. Precisely the same problem has arisen in almost every country, even in Great Britain, with its magnificently organised and heavily financed railway system. But whereas in Great Britain the railway companies are still clamouring for the right to put motor transport on the roads in competition with the existing motor companies, the new

Irish Government has already settled the problem by the Act of 1927, which gives to the railway companies the powers that they needed to maintain their solvency.

The Act was not passed without considerable opposition, and the familiar criticism—that the railway companies would soon acquire a complete monopoly of transport, and be able to charge what they liked—was vigorously urged. But the Government had provided against the obvious dangers in the concession of new powers to the railways. There is no fear that the railways will simply introduce new motor services at uneconomic rates in order to drive their recent rivals out of existence within a short time, and with the intention of raising rates again as soon as competition has been removed. The Act provides that if any new motor service is introduced by the railway companies, it may not be withdrawn before a year's notice has been given. And in general it may be assumed that the railway companies, with their greatly superior financial resources, will be able to provide a more efficient and a cheaper system of road transport than can be offered by the small companies which have come into existence in recent years. Whether these smaller companies will be forced to amalgamate before long, and perhaps even sell their interests to the railway companies, remains to be seen. The prospect of creating something like a monopoly of all forms of motor and railway transport in the Free State does not cause any great anxiety to the Government. On the contrary, Mr. McGilligan, in piloting the Bill through the Dáil, expressed his own opinion that he would be in favour of a monopoly if it would produce better and more economical transport. The powers of the railway companies are already severely limited by law, and the Dáil can always insist upon further safeguards against excessive charges in return for the concessions which it permits. Mr. McGilligan's attitude may

indeed be regarded as commanding general assent. Some months later, in December 1927, the Senate adopted a resolution requesting the urgent attention of the Executive Council to the need for co-ordinating all branches of inland transport in the country. The waste and overlapping involved in present competition was emphasised, as well as the obvious need for some sort of co-operative and mutual arrangement between the railways and the motor vehicles.

How seriously the railways have been hit by the competition of motor traffic, especially since the main roads of the Free State have been so completely reconstructed by relief works in recent years, has been evident in the yearly returns of the railway companies. Before the war, the Irish railways were still being conducted on an absurdly wasteful system, and various Commissions of Enquiry had advised upon the urgent need for amalgamation to eliminate waste and to produce greater economy and efficiency. But even at the end of the European war there were still twenty-five railway companies working in the whole of Ireland, operating only about 3,500 miles of railway line between them, of which roughly two-thirds were only single line systems. Under such conditions it was hopeless to expect any vigorous and well devised policy of development; and it was not until the whole railway system was temporarily taken over by the Government during the European war and organised under a single control, that the old obstacles to fusion were surmounted. The same result followed after the European war as in Great Britain, and soon afterwards the Irish railways were amalgamated into two main systems—the Great Southern Railway Company henceforward operating practically all the railways in the Free State except for the lines connecting Dublin with Northern Ireland, which were united under the control of the Great Northern Railway. Both

systems have suffered from the inevitable preference of passengers and traders for motor transport when it became available.

For years before the war the volume of traffic on the Irish railways had shown a steady increase; but the figures in recent years, on both the main railway systems, have shown a serious decline in comparison even with the pre-war years. Both systems show a continuous increase in the number of season ticket holders and workmen who use the railways regularly; it is the occasional travellers who find the alternative of travelling by road more convenient. In 1913 the system of railways now operated by the Great Southern Railway carried nearly 14,700,000 passengers. In 1926 the number was below 12,200,000. The Great Northern Railway shows a similar decline in passengers from 6,400,000 in 1913 to 5,100,000 in 1926. And the amount of goods traffic shows a similar, and still more serious, decline on both systems. The Great Southern Railway carried less than 2,600,000 tons of goods in 1926 against 3,500,000 in 1913; and the reduction of goods traffic on the Great Northern system—from 1,500,000 to 1,000,000 tons—was proportionately even greater.

But the temporary difficulties of the Free State's railways only reflect the same problem which has been causing intense anxiety in Great Britain. Natural conditions and the lack of industrial development in the Free State have accentuated the problem, but the remedy is available and is now being applied. With their large capital and revenues, the Irish railway companies should have no difficulty in organising an efficient and economical system of motor transport, supplementing their own less flexible services on the railways themselves, with possibilities of a much more extensive and enterprising development policy than was ever contemplated in the past. One of the chief

difficulties of the Irish railways has always been the high cost of imported English coal. The Shannon scheme will make it possible to electrify at least part of the Irish railways before long, with a considerable saving in their expenses. The broad lines of future development would appear to be clearly indicated by the natural conditions of the country. For slow and heavy traffic between the more important centres of production or distribution the old railway transport will always be superior. For passenger traffic, it can likewise provide greatly superior facilities, both for long distances, and for the short distances which are constantly covered by season ticket holders. With a development of better services of rapid trains for such passenger traffic, the railways can then concentrate upon reducing costs as far as possible for the goods traffic, whether it requires rapid daily delivery or whether it can be handled with less speed. The main trouble of the railways in trying to maintain a complete railway service everywhere in competition with the new forms of motor transport will quickly disappear; and the railway companies may find it more economical to eliminate all unprofitable railway transport to a great extent, and to supersede it by motor transport.

It was Mr. Cosgrave himself who, notwithstanding his usual reserve in speech, told the Senate in December 1927, without hesitation, that 'a greater improvement had been effected in the roads of Ireland during the past four or five years than in any other country in the world.' The improvement has in fact been amazing. But it is easy to overlook the limitations of the roads where heavy traffic is concerned, in considering the obviously greater mobility and economy of motor services. To transfer to the roads even any considerable proportion of the heavy traffic which has hitherto been carried on the railways would inevitably destroy much of the vast improvement that has taken

place. The problem has been under serious consideration by the Roads Advisory Committee which was set up by the Local Government Department; and its main outlines were very clearly stated in a paper recently read to the Institute of Civil Engineers of Ireland by Mr. Richard O'Connor, the county surveyor to the Mallow district. Mr. O'Connor pointed out the impossibility of constructing the Irish main roads with the expensive materials that are used for the trunk roads in England, where an immense revenue is derived in taxation from the very large and growing number of motor vehicles which use the roads. In the Free State, with its 8,000 miles of main roads, the cost of such methods of construction would be out of all proportion to the revenue from motor duties. Mr. O'Connor, with wide technical and practical experience, insisted that in the Free State, 'we cannot afford for years to come to reconstruct our ordinary roads with any better material than waterbound macadam, nor is there any necessity to do so if our transport problem is properly handled. . . . Every section of road has its own particular breaking point, depending on its foundation, drainage, and surface, and on the weight and nature of the traffic carried. When increased traffic causes this breaking point to be reached, capital expenditure becomes necessary to provide a new surface of a higher grade.

'You will find by-roads break up,' said Mr. O'Connor, 'under the traffic of a few five-ton lorries a day. Waterbound macadam roads, tar-sprayed, costing, say, £1,000 a mile, will break up at a certain stage of traffic and must be re-surfaced with a material costing probably £3,000 a mile. The breaking point of the low-grade road and the waterbound macadam road is one of our chief transport problems to-day. As to the weight and nature of the motor traffic that causes the break-up of these lower-grade roads, there is no

doubt that heavy weight on solid rubber tyres combined with speed are the most destructive factors. If we do not safeguard our waterbound macadam roads by eliminating heavy fast vehicles, or by confining them to definite routes, the necessity for further capital expenditure may go beyond our resources. The obvious remedy to the existing condition of affairs is to divert traffic as far as possible from road to rail, and the question is : How can this be done ?

' A solution, from the road engineer's point of view, would be to hand over to the railway company, within limits, the control of all road motor vehicles exceeding three tons laden weight, to define the routes on which these vehicles would be employed, and to fix rates and conditions of payment by the company in consideration of the concession and towards the cost of maintaining the roads used. Another partial solution might be found in the extended use of containers. Take a butter container to hold forty boxes or one ton net weight of butter, loaded in four tiers, two abreast and five in length. Six of these containers would fit in the standard 10-ton rail wagon. One could be carried on a ton truck, and three or four on a tractor trailer wagon. It may be taken for granted that while our railways are running half idle we cannot afford to allow unrestricted traffic on our roads. The transport problem of the Irish Free State is to devise every reasonable means of transferring road traffic to rail, and at the same time to keep the railway company alive to its responsibilities.'

Various means are easily available for keeping the motor traffic within reasonable bounds. High taxation already restricts the number of heavy lorries ; and similar restrictions can be imposed in other ways. The ultimate solution would seem to be that the railways should themselves in time organise and direct most of the cross-country motor traffic in combination

with their own train services. And the classification and reconstruction of roads can proceed on a plan worked out in co-operation with the railway companies and the various motor transport agencies. The main cost of providing sound modern roads can easily be borne by the Road Fund, which is derived from motor taxation and fees and fines. Such an immense programme of reconstruction has been carried out in the early years of the Free State that it is still almost impossible to present any clear balance sheet of revenue and expenditure. Most of the work done has been paid for out of Government grants in relief of abnormal unemployment, and also for the reconstruction of roads and bridges which were destroyed during the civil war and in the anarchy which followed it. More than £500,000, for instance, had to be spent within two years on the rebuilding of bridges alone; and the total cost has been considerably more than this. The report of the Roads Department admits that a great deal of the Labour employed on road-making in these relief works was 'bad value' for the wages given; but a great part of the work was done economically and well. The outcome at any rate has been to provide the Free State with a road system amazingly better than was ever imagined in the past, which has already done much to attract tourists to all parts of Ireland.

One very remarkable feature of the new road system is the high proportion of trunk roads or main roads which are now built on solid foundations. The roads have been classified in three main groups. The first group, of Trunk Roads, includes the roads which connect the County Boroughs of Dublin, Waterford, Cork and Limerick with one another, and which connect all towns of over 7,000 inhabitants with each other or with the principal roads. It includes also the roads which connect various large areas, and also a

number of important tourists or coastal roads. One surprising result of this classification is that certain remote and very backward counties of the west, such as Donegal and Kerry, which are largely attractive to tourists owing to their mountainous scenery and lakes and sea-coast, have more trunk roads than link roads—which are the second principal category, and connect the small towns or link up various areas. These two classes of first-rate and second-rate roads include some 8,000 miles, while the remaining 38,000 miles of roads are of only local importance.

In no sphere of its work has the new Government shown a more remarkable combination of imagination and efficient management than in this problem of reconstructing the road system. The conditions, when it assumed control, were utterly chaotic. Broken bridges added further difficulties even in bringing up the material with which the roads were to be renewed; but the Local Government Department triumphed over every obstacle, while being ruthlessly severe in demanding the utmost possible value for the wages that were paid. Conditions would have been very bad even if there had been no Black and Tans or civil war. Practically none of the usual grants had been made to the Irish road authorities during the European war, on the ground that the traffic they bore could not compare with the heavy strain placed on the roads in Great Britain while the war lasted. Motor traffic continued to grow while the roads were increasingly neglected for lack of funds, and they were in a thoroughly bad state when the first Dáil attempted to assume responsibility for their upkeep, towards the end of Sir Hamar Greenwood's term of office. 'In the dozen years from the establishment of the Road Board until the end of the report,' writes Mr. Quigley, chief engineer to the new Roads Department, 'some £600,000 was paid in grants. We are distributing

that much in a single year now.' He proceeds to review the chaotic conditions under which the problem had to be undertaken, in one of the most vivid passages to be found in any Government report:

'The years 1920-23,' writes Mr. Quigley, 'were years of road and bridge destruction with little or no road maintenance. Our inheritance, therefore, was thoroughly run-down conditions of roads due to the above causes, viz., curtailment of grants, inadequacy of road rates during the Great War, and destruction of highways and bridges during the Black and Tan warfare and the civil strife. The madness of the time resulted in a loss of morale on the part of our road workers—that was perhaps the most deplorable feature of the whole situation. Direct labour under county surveyors had given great satisfaction in the early years of its existence, 1905 to 1914. In 1923 there was a spirit abroad that no direct labour employee need any longer bother to give a return in work for wages received. Bridge wreckage had become a kind of national pastime. Road employees, or rather a small and turbulent minority of them, were minded to seize the money provided for road upkeep and use it for their own benefit. Men who were informed that there was no more employment for them for the present promptly proceeded to pull down a bridge or to throw piles of stone into the middle of the carriage-way and so forth.

'The County Councils pursued the line of least resistance. Every demand for an increase of wages was conceded but no proportionate increase in the total amounts provided was made. The result, especially in the urban areas, was a farcical condition of things whereby the money provided for roads became the perquisite of a small number of official employees. In County Cork, men had to be kept employed if they were official labourers, so that the

money that should have provided stone for the surface went in wages to road-scrapers. No detailed reports have been submitted from the Roads Department during the past two years for the reason that it was hardly possible to render a true account under conditions such as I have been referring to and the aftermath of such conditions. In spite of very great difficulties I may claim for our road-makers that at least in the case of all Road Fund money expended, good value for money has been shown.'

While the Irish roads are a striking example of neglect under the British administration of the country, which the new Government has had to remedy by undertaking a large programme of new expenditure, the Post Office in Ireland is a no less striking instance of disregard for Irish conditions, which resulted in a constantly increasing extravagance. More than one English civil servant of distinction who came to Ireland as a Unionist to take up work in the Irish Post Office very soon became converted to the necessity of self-government for a country which in that department especially was monstrously mismanaged. The financial troubles of the Irish Post Office, which had incurred an enormous annual deficit by the time the Free State came into being, had begun under the Chancellorship of Sir Michael Hicks-Beach in the 'nineties. The new Government which had just assumed office in London had given a pledge, during the preceding general elections, that letters would be delivered by a postman at every house in the British Isles if the Government came into office. Sir Michael Hicks-Beach at once proceeded to give effect to this pledge, which in Great Britain seemed to involve no serious increase of expense. But in Ireland this new concession involved a revolutionary change. Up to that time, and very largely at the present time as well, the daily correspondence arriving in most parts

of Ireland was of extremely small dimensions. In many, indeed in most places, not more than a few letters would arrive for an ordinary small farmer's house in a week. The Irish Post Office services had been organised with regard to these general conditions, and the expense of delivering letters had been kept within reasonable bounds. The usual arrangement was that a postman delivered letters in the village itself once a day, but that outlying farmers would send someone to call for their letters from time to time, or whenever word was brought to them by a neighbour that a letter had arrived. But Sir Michael Hicks-Beach had naturally never given any thought to the question, and his electioneering pledge was intended to apply literally to every house in the British Isles. Consternation reigned in the Dublin Post Office when it was announced that his pledge was to apply to the whole of Ireland; and urgent enquiries were sent to London to know whether the instructions were to be carried out. Being a man of his word, Sir Michael insisted that his promise must be fulfilled, and a new era of extravagance was instituted accordingly in the Irish Post Office.

A conscientious Englishman, who was in charge of the department at the time, devised means for keeping this new extravagance within bounds as far as possible. Arrangements were made to pay school children a retaining fee of a few shillings a week to deliver whatever letters might arrive for the outlying farms; and the children and their parents were overjoyed. But before long fresh trouble arose, when a certain Labour M.P. at Westminster, in seeking an opportunity to embarrass the Government with an awkward question, discovered that the Irish Post Office was paying salaries of a few shillings a week to its postal servants. Pressure from the Trade Unions was soon brought to bear upon the Government, and before

long it gave way, in deference to the principle of uniform scales of payment throughout the civil service. Once again the Post Office estimates for Ireland rose with a bound; and by a series of such innovations, introduced in utter disregard of conditions in Ireland, the Exchequer became saddled with an increasingly expensive postal administration, while there was no sign, or even hope, of any corresponding increase in revenue.

By the time the European war broke out, the Irish Post Office was being run at a very heavy annual loss; and the policy of introducing so many postal services and facilities, which were expected to pay their way in Great Britain but could not conceivably do so in Ireland, had accustomed people to expecting facilities which ought never to have been granted. War conditions led to a considerable curtailment of the postal services for reasons of economy; but by the time the Free State came into being, the Post Office was incurring a deficit which, if it could be abolished, would have paid for many important construction schemes.

For the courageous manner in which the problem was faced, credit must be given above all to Mr. P. S. O'Hegarty, a former postal servant of very great ability, whose close association with the Sinn Féin movement led to his being transferred out of Ireland during the war. He was subsequently appointed permanent secretary to the Post Office under the Postmaster-General, Mr. J. J. Walsh, and the drastic reorganisation of the Post Office was almost entirely due to his energy and initiative. Senior officials of the old regime watched his boundless activity and courage with amazement. They had doubted whether the new Government would dare face the unpopularity of curtailing the postal services. Mr. Walsh's order to have all the letter boxes in the country repainted green instead of red suggested rather that expenditure

would be increased. But Mr. O'Hegarty was the real power behind the throne. He announced boldly that the Post Office was going to conduct its own business henceforward without interference from any outside quarter; and within a few weeks he was at loggerheads with the postal employees' trade union, when he decided upon dismissing various people who had hitherto been protected by trade union regulations and by a mass of official correspondence between Dublin and Whitehall. A strike followed almost immediately, but the new Post Office administrators defied all opposition. Within a very short time they had won without making the smallest concession.

Then the question of a deficit was faced in earnest. The number of collections and deliveries was drastically cut down. In many small villages in the west there is nowadays not even a daily delivery of letters. The respective costs and revenue relating to urban and rural districts were scrupulously examined; and in a general effort to make the Post Office a self-supporting commercial organisation, services were reduced wherever they could not show a reasonable relation between expenditure and income. In the year 1922-23 the deficit on the Post Office had amounted to over £1,130,000. By the following year the deficit was reduced to £700,000, and in 1924-25 it was down to below £540,000. By that time it was clearly seen which were the chief sources of loss, and a determined effort was made to deal with them individually. The parcels post was the principal source of deficit, owing to the fact that many more parcels were sent into the Free State than out of it; and at the end of 1924 the Government imposed a special collection fee of 6d. on every parcel, with the deliberate object of discouraging traders from using this form of delivery. It resulted in a substantial decrease in the number of parcels sent into Ireland through the post during the

following year; but it was found that the number of parcels received was still nearly double the number despatched. The United States particularly was the source of this large consignment of parcels; and the Irish Government opened negotiations with the United States Post Office to request a contribution towards the cost of their delivery. Eventually a grant of £9,000 a year was made from the American Post Office—a fact which Mr. Walsh reported with pardonable pride to the Dáil, asking whether the idea of collecting revenue from such an unexpected source had ever occurred to the British postal officials under the old regime.

But the progressive concessions which were made in regard to the postal services by English Chancellors of the Exchequer after the war had created a demand for concessions of some sort in the Free State; and the withdrawal of so many previous services had made the Postmaster-General's Department intensely unpopular. So, in the Budget of 1925 several concessions were introduced. It was still impossible (as it will probably be for a good many years) to reduce the postage rate for ordinary letters from 2d. to the 1½d. rate which has been found workable in the industrial communities of Great Britain and of Northern Ireland. But the postage on postcards was reduced from 1½d. to 1d., in response to urgent representations from the commercial classes, who urged that the reduction would greatly increase the number of postcards used. Similar arguments had induced the British Government to reduce the letter rate from 2d. to 1½d., and the results in the Free State were nearly as disappointing as in Great Britain. There, the reduced letter rate produced an increase of only 3 per cent. in the number of letters posted; and in the Free State the reduced postcard rate produced an increase of only 5 per cent. Such experience naturally dis-

couraged the Irish Post Office from gambling further by sacrificing revenue in the expectation of a great increase in the volume of business. Reductions were also made in the telephone charges, also with disappointing results; but the Post Office proceeded with its policy of extending telephone facilities into the rural districts on the plan borrowed from other agricultural countries, hoping that the natural indifference of the small farmers to such innovations would gradually be overcome. But these and other minor concessions sacrificed revenue, and in the Budget of 1925 Mr. Blythe had to show a relapse towards a greater deficit in the postal services. In the following year the deficit was still nearly £550,000.

At any rate, the finances of the department were by this time classified and were subject to close scrutiny. Its working had become hampered and dislocated by the burning of the old Post Office Buildings in the rising of 1926; and the temporary offices which have since been employed—although they have proved the desirability of a change of site to nearer Westland Row Station, which is the point of arrival for trains from England and abroad—have not been adequately equipped for a really economical service. New buildings have since been completed in Dublin and elsewhere, and further substantial economies in working can now be expected. In general the Post Office has now been placed on a paying basis in nearly all its branches, and attention is being concentrated on those which are incurring a loss. The telegraph service incurs a serious annual loss; but the telephones have a small profit, in spite of remissions in telephone charges and in spite of continual, though frugal, expenditure on developments which up to the present have kept well ahead of the existing demand for facilities. It is the postal services as a whole which have incurred a deficit, even though the carrying of

letters and postcards pays its way very handsomely. Heavy losses have been incurred every year on parcels, on newspapers, and on the handling of postal orders and money orders. Apart from the latter item, the trouble in each case arises from the fact that far more parcels, newspapers, and printed circulars are sent to Ireland than are sent out of it. Means of dealing with these sources of deficit every year are being investigated and it should not be impossible to find a remedy. The loss on telegrams has been one of the principal problems of the service, and Mr. Walsh stated in the Dáil that every telegram for which the minimum charge of a shilling is paid costs the State an additional shilling in clear loss. Great efforts have been made to supersede telegraphs by the telephone service. The loss on the telegraph, Mr. Walsh explained during the 1926 Budget debates, was even continuing to grow, and he could see no future for the telegraphic service in the Free State. He believed its employment would ultimately be reduced to newspaper work and long distance traffic only.

In another way the Irish control of the Post Office has brought immediate relief to the public finances of the country. In the past, the Post Office Savings Department in Ireland was no more than a collecting agency for the department in London, which received, and had the use of, all sums deposited with the Irish Post Office. In a country where the majority of the people have no capital in money apart from very small sums, the Post Office Savings Bank, with the local post offices acting as its branches in every district, fulfils a function that no ordinary bank can even attempt; and the aggregate of all the small savings of the people is, in relation to the year's revenue of the Free State, a very considerable amount. By the end of 1924 the Post Office Savings Bank already held Irish deposits amounting to £2,125,000; and a year

later the amount had increased by £250,000. The Post Office is also employed by the Government to distribute the Savings Certificates issued by the Ministry of Finance; and in this direction also it has been able to collect large sums in savings by poor people, which under the old conditions would have been automatically transferred to London, without any strengthening of credit in Ireland. By the end of March 1925, a sum of £1,175,000 had already been invested with the Government in Savings Certificates, and a year later nearly £500,000 more had been invested in this way. The totals appear small in comparison with English figures; but on a population basis it would be necessary to multiply these amounts by fifteen to show what their equivalent would be in Great Britain. And in a country devoid of industries and suffering from intense depression in agriculture, and consisting of less than 3 million people, this increase of £250,000 in the Post Office Savings Bank deposits and of £500,000 in Savings Certificates within twelve months is a very creditable record by any standard of comparison. That these small amounts should have been saved at all on such a widespread scale is largely due to the sound and enterprising management of the Irish Post Office.

Its record during the past five years is one of the most illuminating examples of the way in which the young men in charge of the Free State have faced their difficulties; inheriting a legacy of mismanagement and extravagance that arose from complete indifference towards Irish conditions and Irish needs; and proceeding to establish financial solvency without regard to incurring unpopularity, and to develop the existing administrations in every possible way by an intelligent study of actual conditions and possibilities in the Free State, and of the lessons that could be usefully applied from the experience of other countries.

INDEX

[Note.—The initials T.D. designate a member of Dáil Eireann.]

Abyssinia, 128-9.
Afforestation, 261, 277.
Agricultural Credit Corporation, 297, 302-7.
Agriculture, ch. xix.
Aiken, Frank, T.D., 157.
Air Force, 178.
America, 35, 37, 329, 342-4, 429.
Amery, Rt. Hon. L. S., M.P., 88.
Armagh, 18.
Army, ch. xii., 260-4, 338, 347.
Australia, 73, 77, 82-4, 99, 345, 363.

Baldwin, Rt. Hon. S., M.P., 9, 246.
Balfour, Lord, 28, 122, 163, 309.
Banking Commission, 351-4.
Barton, Robert, 110.
Bastable, Professor, 235.
Baxter, Patrick, T.D., 60, 126, 145.
Béaslaí, Piaras, 5, 57.
Beet Sugar Industry, 275-6.
Belfast, 4, 16, 17.
Belton, J., 61.
Bennett, Senator, 212-3.
Birrell, Rt. Hon. Augustine, xvi.
Blythe, Ernest, T.D., Minister for Finance, xii, xv, 48, 73-5, 78-9, 155, 244-6, 248-9, 251-69, 276-8, 339-355, 430.
Breen, Dan, 54.
Brown, Senator, K.C., 215.
Budgets, ch. xvii.
Byrne, Alfred, T.D., 145.

Canada, 73, 79, 82-4, 224, 315, 329, 345, 363.
Cardiff, 36.
Carlyle, Thomas, 279.
Carney, Frank, T.D., 222.
Carson, Lord, 88, 165, 204.
Cenotaph, 65.
Chattel Mortgages, 305-6.
China, 123, 184.
Church of Ireland, 233, 338, 344.
Citizenship, 39.
Civic Guards, 154, 170-3, 312.
Coburn, James, T.D., 144.
Coinage Bill, 348-50.
Collins, Michael, 67, 89, 110.
Compensation Claims, 251-2, 256, 260-3.
Condensed Milk Company, 298-9.
'Congested Districts,' 28, 35, 308-16.
Connolly, James, 193.
Constitution, ch. iii.; amendments to, ch. ix.
Consular Representation, 107-8, 119.
Cork, 4, 31, 32, 401-2.
Cooper, Major Bryan, T.D., 144, 192, 196-7, 209-10, 220-5.
Co-operative Societies, 260-1, 297-300.
Cosgrave, William, President of the Executive Council, xv, 6, 7, 9, 37, 48, 53-5, 62, 65, 71, 92, 109, 111-2, 130, 132, 140-2, 146, 154-60, 165, 180, 194-5, 223, 231-3, 237, 388, 391, 402, 404, 419.
Courts (*see* Judiciary).
Craig, Sir James (Lord Craigavon), 9.
Crime, 173-5.
Criminal Investigation Department, 171.
Currency Bill, 351-5.

Dáil Eireann, membership, 42; payment of members, 42; constituencies, 42-3; duration of, 43, 133; work of, ch. xiii.; relations with Senate, 205.
Dairy Produce Act, 293-4.
Daly, John, T.D., 222-3.
Davitt, Michael, 257.
Denmark, 327, 373.
Derry, 8, 16, 18.

De Valera, Eamon, T.D., xv, 38, 47, 50, 57-9, 142, 157-60, 164, 189-90, 201, 219, 224, 276, 279-81, 368-9, 372.
Dillon, John, 287.
'Document No. 2,' 57-9.
Double Income-Tax, 255-6, 341.
Douglas, Senator, 210-11, 213.
Drainage Schemes, 277.
Dublin, xiii, 4, 18, 392, 396-401, 409.
Duffy, G. Gavan, 110.
Duggan, E., T.D., 110.
Dulanty, J. W., C.B., 91.
Dunboden House, 159.
Dungannon, 18.
Dunraven, Lord, 204.

Education, x, ch. xxiv.
Egg Act, 291-3.
Electoral Abuses Act, 411-2.
Electoral Amendment Bill (1927), 48, 53, 138.
Emigration, 23-25, 35-38.
Empire Marketing Board, 374.
Empire Parliamentary Association, x.
Enniskillen, 8.
Esmonde, O. Grattan, T.D., 62, 97-9, 107, 181-2.
Esmonde, Senator Sir Thomas, 317.
Executive Council, 44, 45, 135-7, 199, 207-17.
Exports, 359, 364-6.
Ex-Service men (British), 64, 219-227.
Extern Ministers, 135-7, 207-217.
External Relations, ch. vii., 126.
External Trade, ch. xxiii.
Extra-Territorial Powers, 115.

Farmers' Party, 126, 144, 189.
Feetham, Judge, 8, 9.
Fiscal Enquiry Committee, 234-244, 322-5.
Fisheries, ch. xx.
Fitzgerald, Desmond, Minister for Defence, 92, 100-8, 111-20, 128-9, 185-7.
Fitzgerald-Kenney, James, K.C., Minister for Justice, 174-5.
Fitzgibbon, Judge, 233.
Flag of the Free State, 61-3.
Ford Motor Factory, 283.
French, Seán, T.D., 344.

Gaelic Language, 41, 227-31.
Glasgow, 36.
Glenavy, Lord, 165-7, 204, 232.
Good, J., T.D., 76, 145.
Gorey, Denis, T.D., 72, 134.
Governor-General, xviii, ch. v., 183.
Green, W. S., 310.
Greenwood, Sir Hamar, xiii, 5, 78, 166, 263, 296, 322, 390, 404, 423.
Griffith, Arthur, 67, 89, 110, 234-5.
Guinness Breweries, 338.

Haldane, Lord, 83.
Hayes, Michael, T.D., xvii (*see* Speaker of Dáil Eireann).
Healy, T. M., K.C., 66-71, 77, 287, 293.
Heffernan, M., T.D., 86, 136, 179, 246.
Hewat, W., T.D., 136, 145, 179.
Hickie, Senator Sir William, 63-4, 204, 220.
Hicks-Beach, Sir Michael, 425.
High Commissioner in London, 77, 90-91.
Hogan, Patrick, Minister for Agriculture, xvi, 61, 201, 276, 280-1, 285, 292-307, 321, 369-71.
Housing, 278, 406-10.
Hughes, Peter, ex-minister for Defence, 177.
Hurst, Sir Cecil, 94-5, 100-1.

Imperial Conference, ch. vii.
Imports, 360-1, 366.
Industries, 33, 236-44.
Initiative for Legislation, 140-1.
Inter-Imperial Relations Committee, 113, 127.
International Court, 101 (*see also* League of Nations).
Irish Agricultural Organisation Society, 297-8.
Irish Independent, 162.
Irish Republican Army, 153-60, 222.
Irish Republican Brotherhood, 5.

Jameson, Senator Andrew, 204, 216.
Jinks, Alderman, 198.
Johnson, Thomas (leader of Labour Party), 49, 59, 60, 62, 70-1, 75, 86, 92-7, 102-5, 121-4, 128-9, 132-3, 136, 145, 179-80, 183, 185-6, 193-6, 209, 247, 267, 275.
Judicial Committee of the Privy Council, xviii, 46, ch. vi., 116, 168.
Judiciary, x, 45, 46, 165-70, 232.
Juries, 169.

Kenny, Senator, 211-2, 215-7.
King's Title, 116, 129.

Labour Party and Constitution, 49; and Governor-General, 75-6; and Public Safety Act, 162, 191, 198; in Northern Ireland, 6.
Land Purchase Act (1924), 291.
Land Trust, 225-6.
Larkin, James, 145, 193.
League of Nations, 89-99, 114, 116, 255.
Legislature (*see* Oireachtas).
Lemass, Seán, T.D., 157.
Liffey Electrical Scheme, 321.
Limerick, 32.
Liszt, Frederick, 234.
Liverpool, 36.
Local Government, ch. xxv.
Locarno Treaty, 93, 97, 101.
Logue, Cardinal, 19.
London Agreement (Dec. 1925), 10, 12.
Lynch, Finian, Minister for Fisheries, 309.

MacBride, Seán, 163.
McGilligan, Patrick, Minister for Industries and Commerce, xvii, 36-7, 93, 249, 281-4, 328-9, 416.
McLaughlin, Dr., xvii.
McNeill, Professor Eoin, 227.
McNeill, James, His Excellency the Governor-General, 77-8, 90.
McWhite, M., envoy to Geneva, 90.
Magennis, Professor, ex-T.D., 72, 76, 98-9, 125-6, 144, 188.
Mahon, Lt.-General Sir Bryan, Senator, 63, 204, 220.
Manchester Guardian, 162.
Maryborough, 175.
Massey, Rt. Hon. W., 110.
Mayo, Lord, 204.
Ministerial Responsibility, 45.
Ministers and Secretaries Act (1924), x, 39.
Mitchell, John, 279.
Moloney, Sir Thomas, 168.
Monahan, P., 401-2.
Money Bills, 205-6.
Morrissey, D., T.D., 76, 200, 276.
Mulcahy, General, Minister for Local Govt., xvii, 86, 99, 187, 189, 276, 278-9, 406.
Murphy, Joseph X., T.D., 145.
Myles, Colonel, T.D., 145.

Natal, 11.
National Debt (British), 9, 131, 253, 338.
National Loans (Irish), 252, 337-347.
National University of Ireland, xvi, xvii, 192, 227, 228.
Newry, 8.
New Zealand, 87, 121, 345, 362.
North-eastern Boundary Bureau, 15, 16.
Northern Ireland, exclusion of, ch. i: area and population, 3, 4; religious distribution, 4; racial elements, 16; importance of agriculture in, 16, 17; industries, 17-18; possibility of reunion with Free State, 11, 18, 19.
Norway, 323, 327-8.
Noxious drugs, 96.

Oath of Allegiance, ch. iv., 139, 141-42.
Oireachtas, 41.
O'Brien, George, D.Litt., 235.
O'Brien, William, 287.
O'Connell, T. J., T.D., 200.
O'Connor, Richard, 420-1.
O'Connor, Rory, 168.
O'Donnell, Cardinal, 18, 19.
O'Farrell, Senator, 217-8.
O'Hegarty, P. S., 5, 427-8.
O'Higgins, Kevin, xiv, xvi, 6, 48, 65, 68, 81-7, 92, 101, 112, 127, 135, 138, 160, 169-174, 187-9, 206-18, 275, 339, 388, 391.
O'Sullivan, Professor, Minister for Education, xvii, 228.

Partition, effects of, xiii, ch. i.
Passports, 107-8.
Plunkett, Sir Horace, 29, 296, 378.
Police, x, and *see* Civic Guard.
Polling Day, 132.
Poor Law, x, 393-4, 402-6.
Population, 20; old persons, 22-3; few marriages, 25-7; large families, 27; drift to the towns, 30; comparison with France, 30-1; few important towns, 31-2; urban and rural populations, 32; employments, 34.
Post Office, x, 254, 425-32.
President of Executive Council, 44.
Prisons, 174-5.
Proportional Representation, 43, 143-7.
Protection or Free Trade, ch. xvi., 252.

Protocol of the League's Covenant, 93.
Public Safety Act (1927), 138, 155, 160.

Quebec, 11, 82.
Quigley, Mr., 423-5.

Railways, 413-9.
Redmond, John, 5.
Redmond, Captain W., T.D., 50, 60, 138, 142, 144, 162, 182, 189-90, 192, 198, 201, 220, 225.
Referendum, 139-40.
Republican Party, and emigration, 36; and the Dáil, ix, xv, 39, 146, 153, 200-1; and the Constitution, 48, 50-3; and Oath of Allegiance, 52, 54; and Labour Party, 60-1, 144, 198; and Armistice Day, 64; and League of Nations, 125; and I.R.A., 157-8; and Army, 189; and second National Loan, 344.
Roads, 278, 419.
Roebuck House, 156.
Royal Irish Constabulary, 170-3.
Ryan, F. W., 234.

School Attendance Act, 172, 379, 383.
Senate, xvi, ch. xiv.; membership, 42, 148, 210; payment of members, 62; and the Dáil, 133-5; election to, 148-210.
Shannon Scheme, x, xvii, 33, 36, 282, 308, 319-336.
Smiddy, Professor T., envoy to Washington, 90, 235.
Smuts, General, 111.
South Africa, 79, 82, 84-5, 99, 212, 247-8, 345.
'Southern Unionists,' 143, 146, 165, 196, 204, 209-10, 337-8, 349.
Speaker of the Dáil, 130, 133-6, 137, 142, 192-3, 197-201, 217-8.
Sullivan, A. M., 68.
Sweden, 323, 327-8.
Switzerland, 323, 327-8.

Thrift, Professor, T.D., 72.
Times, The, 163.
Treaty, the Anglo-Irish, amended, 9, 131-2.
Treaty Obligations (*see also* League of Nations), 123-5, 128-9.
Trinity College, Dublin, 146, 228, 232, 235, 328.

Ulster Boundary Commission, 7-9, 131.
Ulster Boundary Problems, 13, 14.
Ulster Year Book, 16-17.
Unemployment, ch. xviii.
Union Jack, 221.

Versailles Treaty, 117.

Walsh, J. J., T.D., ex-Minister for Posts and Telegraphs, 63, 135, 248, 427, 429, 431.
Washington, 90, 100, 235.
Waterford, 32, 225.
Wembley Exhibition, 63.
Wilson, A. G., 15.
Wyndham, George, 29.

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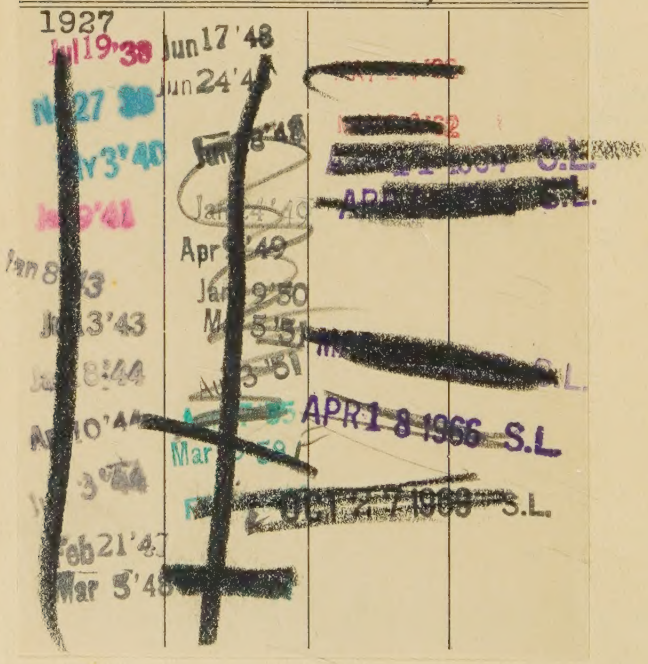

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